
SENATE BILL 5846

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By Senators Saldaña, Hasegawa, Randall, Nguyen, Wilson, C., Keiser, Das, Cleveland, and Dhingra

Read first time 02/06/19. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to the integration of international medical
2 graduates into Washington's health care delivery system; reenacting
3 and amending RCW 43.84.092; and adding a new chapter to Title 70 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Department" means the department of health.

9 (2) "International medical graduate" means a physician who
10 received a basic medical degree or qualification and postgraduate
11 training from a medical school located outside the United States or
12 Canada and who did not enter the United States on a J-1 visa or
13 similar nonimmigrant visa following acceptance into a United States
14 medical residency or fellowship program.

15 (3) "Rural community" means a community located outside a
16 standard metropolitan statistical area as defined by the United
17 States bureau of census.

18 (4) "Secretary" means the secretary of the department of health.

19 (5) "Underserved community" means any medically underserved area
20 or medically underserved population as designated by the department.

1 (6) "Washington international medical graduate" means an
2 international medical graduate who has lived in Washington state for
3 at least two years.

4 NEW SECTION. **Sec. 2.** The international medical graduate
5 assistance program is established to be administered by the
6 department. In developing and administering the program, the
7 secretary shall:

8 (1) Provide overall coordination for the planning, development,
9 and implementation of a comprehensive system for integrating
10 qualified international medical graduates into the Washington health
11 care delivery system, particularly those willing to serve in rural or
12 underserved communities of the state;

13 (2) Develop and maintain, in partnership with community
14 organizations working with international medical graduates, a
15 voluntary roster of international medical graduates interested in
16 entering the Washington health care workforce to assist in planning
17 and program administration, including making available summary
18 reports that show the aggregate number and distribution, by geography
19 and specialty, of international medical graduates in Washington;

20 (3) Work with graduate clinical medical training programs to
21 address barriers faced by international medical graduates in securing
22 residency positions in Washington, including the requirement that
23 applicants for residency positions be recent graduates of medical
24 school. The annual report required in section 10 of this act must
25 include any progress in addressing these barriers;

26 (4) Develop a system to assess and certify the clinical readiness
27 of eligible international medical graduates to serve in a residency
28 program. The system must include assessment methods, an operating
29 plan, and a budget. Initially, the secretary must develop assessments
30 for clinical readiness for practice of one or more primary care
31 specialties, including family medicine, pediatrics, internal
32 medicine, and psychiatry, and must add additional assessments as
33 resources are available. The secretary may contract with an
34 independent entity or another state agency to conduct the
35 assessments. In order to be assessed for clinical readiness for
36 residency, an eligible international medical graduate must have
37 obtained a certification from the educational commission for foreign
38 medical graduates. The secretary shall issue a Washington certificate
39 of residency readiness to those who pass the assessment;

1 (5) Explore and facilitate streamlined pathways for international
2 medical graduates to serve in nonphysician professions in the
3 Washington workforce; and

4 (6) Study, in consultation with the medical quality assurance
5 commission, board of osteopathic medicine and surgery, and other
6 stakeholders, changes necessary in health professional licensure and
7 regulation to ensure full utilization of international medical
8 graduates in the Washington health care delivery system. The
9 secretary shall include recommendations in the annual report required
10 under section 10 of this act.

11 NEW SECTION. **Sec. 3.** Subject to the availability of amounts
12 appropriated for this specific purpose, the secretary must develop a
13 grant program and award grants to eligible nonprofit organizations to
14 provide career guidance and support services to international medical
15 graduates seeking to enter the Washington health care workforce.
16 Eligible grant activities include the following:

17 (1) Educational and career navigation, including information on
18 training and licensing requirements for physician and nonphysician
19 health care professions, and guidance in determining which pathway is
20 best suited for an individual international medical graduate based on
21 the individual's skills, experience, resources, and interests;

22 (2) Support in becoming proficient in medical English;

23 (3) Support in becoming proficient in the use of information
24 technology, including computer skills and use of electronic health
25 record technology;

26 (4) Support for increasing knowledge of and familiarity with the
27 United States health care system;

28 (5) Support for other foundational skills identified by the
29 secretary;

30 (6) Support for international medical graduates in becoming
31 certified by the educational commission for foreign medical
32 graduates, including help with preparation for required licensing
33 examinations and financial assistance for fees; and

34 (7) Assistance to international medical graduates in registering
35 with the program's Washington international medical graduate roster.

36 NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts
37 appropriated for this specific purpose, the secretary must develop a
38 grant program and award grants to clinical sites to provide

1 experience to Washington international medical graduates who need
2 additional clinical preparation or experience to qualify for
3 residency. The grant program must include:

4 (a) Proposed training curricula consistent with nationally
5 accredited training standards;

6 (b) Policies and procedures for clinical training sites, which
7 must be part of existing clinical medical training programs in
8 Washington state; and

9 (c) Monthly stipends for international medical graduate
10 participants.

11 (2) Priority must be given to primary care sites in rural or
12 underserved areas of the state, and international medical graduate
13 participants must commit to serving at least five years in a rural or
14 underserved community of the state following graduation from a
15 residency program.

16 (3) The policies and procedures for the clinical preparation
17 grants must be developed by January 1, 2022, including an
18 implementation schedule that begins awarding grants to clinical
19 preparation programs beginning in June 2022.

20 NEW SECTION. **Sec. 5.** (1) The international medical graduate
21 residency account is created in the state treasury. All receipts from
22 section 6(2) of this act must be deposited into the account.
23 Earnings, such as interest, dividends, and any other earnings arising
24 from account assets, must be credited to the account in accordance
25 with RCW 43.84.092. Moneys in the account may be spent only after
26 appropriation. Expenditures from the account may be used only to
27 award grants and administer the primary care residency grant program
28 established in section 6 of this act. Funds deposited in the account
29 do not expire.

30 (2) Private entities may contribute to the international medical
31 graduate residency account subject to the following provisions:

32 (a) The contributing entity may not specify the recipient or
33 recipients of any grant issued under section 6 of this act;

34 (b) The secretary shall make public the identity of any private
35 contributor to the account, as well as the amount of the contribution
36 provided; and

37 (c) A contributing entity may not specify that the recipient or
38 recipients of any funds use specific products or services, nor may

1 the contributing entity imply that a contribution is an endorsement
2 of any specific product or service.

3 NEW SECTION. **Sec. 6.** (1) Subject to the availability of amounts
4 appropriated for this specific purpose, the secretary must award
5 grants to support primary care residency positions designated for
6 Washington international medical graduates who are willing to serve
7 in rural or underserved areas of the state. A grant may not exceed
8 one hundred fifty thousand dollars per residency position per year.
9 Eligible primary care residency grant recipients include accredited
10 family medicine, internal medicine, obstetrics and gynecology,
11 psychiatry, and pediatric residency programs. Eligible residency
12 programs must apply to the department in the manner designated by the
13 secretary. Applications must include the number of anticipated
14 residents to be funded using grant funds and a budget. Funds awarded
15 to grantees in a grant agreement do not lapse until the grant
16 agreement expires. Before any funds are distributed, a grant
17 recipient must provide the department with the following:

18 (a) A copy of the signed contract between the primary care
19 residency program and the participating Washington international
20 medical graduate;

21 (b) Certification that the participating Washington international
22 medical graduate has lived in Washington for at least two years and
23 is certified by the educational commission for foreign medical
24 graduates. Residency programs may also require that a participating
25 Washington international medical graduate hold a Washington
26 certificate of clinical readiness for residency, once the
27 certificates become available; and

28 (c) Verification that the participating Washington international
29 medical graduate has executed a participant agreement pursuant to
30 subsection (2) of this section.

31 (2) Upon acceptance by a participating grant-funded residency
32 program, the Washington international medical graduate must enter
33 into an agreement with the secretary and the appropriate regulatory
34 authority to provide primary care for at least five years in a rural
35 or underserved area of Washington after graduating from the residency
36 program and make payments to the international medical graduate
37 residency account created in section 5 of this act for five years
38 beginning in the second year of postresidency employment.

1 Participants must pay fifteen thousand dollars or ten percent of the
2 participant's annual gross compensation each year, whichever is less.

3 NEW SECTION. **Sec. 7.** A hospital may establish residency
4 positions, or create a residency program for international medical
5 graduates to become candidates for licensure in Washington state. A
6 hospital may partner with nonprofit organizations to develop, screen
7 for, and identify international medical graduates eligible for a
8 hospital's particular residency program. A hospital may receive
9 grants from a nonprofit organization to train international medical
10 graduates who are eligible for a hospital's particular residency
11 program.

12 NEW SECTION. **Sec. 8.** Nothing in this chapter alters the
13 authority of the medical quality assurance commission or the board of
14 osteopathic medicine and surgery from regulating the practice of
15 medicine in Washington.

16 NEW SECTION. **Sec. 9.** The department must establish an oversight
17 committee to provide consultation and oversight in the development
18 and administration of the international medical graduate assistance
19 program, including the grant programs established in sections 3, 4,
20 and 6 of this act. The oversight committee must be comprised of the
21 following:

22 (1) A representative from the medical quality assurance
23 commission;

24 (2) A representative from the board of osteopathic medicine and
25 surgery;

26 (3) A representative from the University of Washington school of
27 medicine;

28 (4) A representative from the Washington State University Elson
29 S. Floyd college of medicine;

30 (5) A representative from a primary care health care employer in
31 a rural or underserved area of Washington;

32 (6) A representative from a health carrier offering coverage in a
33 rural or underserved area of Washington;

34 (7) A licensed physician with experience working with
35 international medical graduates;

36 (8) A representative from an organization specializing in refugee
37 advocacy in Washington;

1 (9) A representative from an organization serving refugee
2 physicians and international medical graduates;

3 (10) A representative from an organization offering counseling
4 and educational programs to internationally trained health
5 professionals;

6 (11) A representative from an organization representing community
7 and migrant health centers; and

8 (12) At least two international medical graduates.

9 NEW SECTION. **Sec. 10.** Beginning January 1, 2021, and biennially
10 thereafter, the secretary, in consultation with the medical quality
11 assurance commission and the board of osteopathic medicine and
12 surgery, must submit an annual report to the legislature on the
13 progress of the integration of international medical graduates into
14 the Washington health care delivery system. The report must include
15 recommendations on actions needed for continued progress integrating
16 international medical graduates, including any progress in addressing
17 barriers described in section 2(3) of this act and the
18 recommendations required in section 2(6) of this act.

19 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
20 constitute a new chapter in Title 70 RCW.

21 **Sec. 12.** RCW 43.84.092 and 2018 c 287 s 7, 2018 c 275 s 10, and
22 2018 c 203 s 14 are each reenacted and amended to read as follows:

23 (1) All earnings of investments of surplus balances in the state
24 treasury shall be deposited to the treasury income account, which
25 account is hereby established in the state treasury.

26 (2) The treasury income account shall be utilized to pay or
27 receive funds associated with federal programs as required by the
28 federal cash management improvement act of 1990. The treasury income
29 account is subject in all respects to chapter 43.88 RCW, but no
30 appropriation is required for refunds or allocations of interest
31 earnings required by the cash management improvement act. Refunds of
32 interest to the federal treasury required under the cash management
33 improvement act fall under RCW 43.88.180 and shall not require
34 appropriation. The office of financial management shall determine the
35 amounts due to or from the federal government pursuant to the cash
36 management improvement act. The office of financial management may
37 direct transfers of funds between accounts as deemed necessary to

1 implement the provisions of the cash management improvement act, and
2 this subsection. Refunds or allocations shall occur prior to the
3 distributions of earnings set forth in subsection (4) of this
4 section.

5 (3) Except for the provisions of RCW 43.84.160, the treasury
6 income account may be utilized for the payment of purchased banking
7 services on behalf of treasury funds including, but not limited to,
8 depository, safekeeping, and disbursement functions for the state
9 treasury and affected state agencies. The treasury income account is
10 subject in all respects to chapter 43.88 RCW, but no appropriation is
11 required for payments to financial institutions. Payments shall occur
12 prior to distribution of earnings set forth in subsection (4) of this
13 section.

14 (4) Monthly, the state treasurer shall distribute the earnings
15 credited to the treasury income account. The state treasurer shall
16 credit the general fund with all the earnings credited to the
17 treasury income account except:

18 (a) The following accounts and funds shall receive their
19 proportionate share of earnings based upon each account's and fund's
20 average daily balance for the period: The abandoned recreational
21 vehicle disposal account, the aeronautics account, the aircraft
22 search and rescue account, the Alaskan Way viaduct replacement
23 project account, the brownfield redevelopment trust fund account, the
24 budget stabilization account, the capital vessel replacement account,
25 the capitol building construction account, the Cedar River channel
26 construction and operation account, the Central Washington University
27 capital projects account, the charitable, educational, penal and
28 reformatory institutions account, the Chehalis basin account, the
29 cleanup settlement account, the Columbia river basin water supply
30 development account, the Columbia river basin taxable bond water
31 supply development account, the Columbia river basin water supply
32 revenue recovery account, the common school construction fund, the
33 community forest trust account, the connecting Washington account,
34 the county arterial preservation account, the county criminal justice
35 assistance account, the deferred compensation administrative account,
36 the deferred compensation principal account, the department of
37 licensing services account, the department of licensing tuition
38 recovery trust fund, the department of retirement systems expense
39 account, the developmental disabilities community trust account, the
40 diesel idle reduction account, the drinking water assistance account,

1 the drinking water assistance administrative account, the early
2 learning facilities development account, the early learning
3 facilities revolving account, the Eastern Washington University
4 capital projects account, the Interstate 405 express toll lanes
5 operations account, the education construction fund, the education
6 legacy trust account, the election account, the electric vehicle
7 charging infrastructure account, the energy freedom account, the
8 energy recovery act account, the essential rail assistance account,
9 The Evergreen State College capital projects account, the federal
10 forest revolving account, the ferry bond retirement fund, the freight
11 mobility investment account, the freight mobility multimodal account,
12 the grade crossing protective fund, the public health services
13 account, the high capacity transportation account, the state higher
14 education construction account, the higher education construction
15 account, the highway bond retirement fund, the highway infrastructure
16 account, the highway safety fund, the high occupancy toll lanes
17 operations account, the hospital safety net assessment fund, the
18 industrial insurance premium refund account, the international
19 medical graduate residency account, the judges' retirement account,
20 the judicial retirement administrative account, the judicial
21 retirement principal account, the local leasehold excise tax account,
22 the local real estate excise tax account, the local sales and use tax
23 account, the marine resources stewardship trust account, the medical
24 aid account, the mobile home park relocation fund, the money-purchase
25 retirement savings administrative account, the money-purchase
26 retirement savings principal account, the motor vehicle fund, the
27 motorcycle safety education account, the multimodal transportation
28 account, the multiuse roadway safety account, the municipal criminal
29 justice assistance account, the natural resources deposit account,
30 the oyster reserve land account, the pension funding stabilization
31 account, the perpetual surveillance and maintenance account, the
32 pollution liability insurance agency underground storage tank
33 revolving account, the public employees' retirement system plan 1
34 account, the public employees' retirement system combined plan 2 and
35 plan 3 account, the public facilities construction loan revolving
36 account beginning July 1, 2004, the public health supplemental
37 account, the public works assistance account, the Puget Sound capital
38 construction account, the Puget Sound ferry operations account, the
39 Puget Sound taxpayer accountability account, the real estate
40 appraiser commission account, the recreational vehicle account, the

1 regional mobility grant program account, the resource management cost
2 account, the rural arterial trust account, the rural mobility grant
3 program account, the rural Washington loan fund, the sexual assault
4 prevention and response account, the site closure account, the
5 skilled nursing facility safety net trust fund, the small city
6 pavement and sidewalk account, the special category C account, the
7 special wildlife account, the state employees' insurance account, the
8 state employees' insurance reserve account, the state investment
9 board expense account, the state investment board commingled trust
10 fund accounts, the state patrol highway account, the state route
11 number 520 civil penalties account, the state route number 520
12 corridor account, the state wildlife account, the statewide tourism
13 marketing account, the student achievement council tuition recovery
14 trust fund, the supplemental pension account, the Tacoma Narrows toll
15 bridge account, the teachers' retirement system plan 1 account, the
16 teachers' retirement system combined plan 2 and plan 3 account, the
17 tobacco prevention and control account, the tobacco settlement
18 account, the toll facility bond retirement account, the
19 transportation 2003 account (nickel account), the transportation
20 equipment fund, the transportation future funding program account,
21 the transportation improvement account, the transportation
22 improvement board bond retirement account, the transportation
23 infrastructure account, the transportation partnership account, the
24 traumatic brain injury account, the tuition recovery trust fund, the
25 University of Washington bond retirement fund, the University of
26 Washington building account, the volunteer firefighters' and reserve
27 officers' relief and pension principal fund, the volunteer
28 firefighters' and reserve officers' administrative fund, the
29 Washington judicial retirement system account, the Washington law
30 enforcement officers' and firefighters' system plan 1 retirement
31 account, the Washington law enforcement officers' and firefighters'
32 system plan 2 retirement account, the Washington public safety
33 employees' plan 2 retirement account, the Washington school
34 employees' retirement system combined plan 2 and 3 account, the
35 Washington state health insurance pool account, the Washington state
36 patrol retirement account, the Washington State University building
37 account, the Washington State University bond retirement fund, the
38 water pollution control revolving administration account, the water
39 pollution control revolving fund, the Western Washington University
40 capital projects account, the Yakima integrated plan implementation

1 account, the Yakima integrated plan implementation revenue recovery
2 account, and the Yakima integrated plan implementation taxable bond
3 account. Earnings derived from investing balances of the agricultural
4 permanent fund, the normal school permanent fund, the permanent
5 common school fund, the scientific permanent fund, the state
6 university permanent fund, and the state reclamation revolving
7 account shall be allocated to their respective beneficiary accounts.

8 (b) Any state agency that has independent authority over accounts
9 or funds not statutorily required to be held in the state treasury
10 that deposits funds into a fund or account in the state treasury
11 pursuant to an agreement with the office of the state treasurer shall
12 receive its proportionate share of earnings based upon each account's
13 or fund's average daily balance for the period.

14 (5) In conformance with Article II, section 37 of the state
15 Constitution, no treasury accounts or funds shall be allocated
16 earnings without the specific affirmative directive of this section.

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