

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1198

Chapter 69, Laws of 2019

66th Legislature
2019 Regular Session

HEALTH CARE PROVIDERS--SEXUAL MISCONDUCT--PATIENT NOTIFICATION

EFFECTIVE DATE: October 1, 2019

Passed by the House March 4, 2019
Yeas 96 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 11, 2019
Yeas 47 Nays 0

KAREN KEISER

President of the Senate

Approved April 19, 2019 10:57 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1198** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 22, 2019

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1198

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, Harris, Orwall, Slatter, Macri, Wylie, Eslick, Doglio, Griffey, and Robinson)

READ FIRST TIME 02/19/19.

1 AN ACT Relating to requiring health care providers sanctioned for
2 sexual misconduct to notify patients; adding a new section to chapter
3 18.130 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130
6 RCW to read as follows:

7 (1) If a license holder subject to this chapter has been
8 sanctioned by a disciplining authority on or after the effective date
9 of this section for an act or acts of unprofessional conduct
10 involving sexual misconduct, the license holder or his or her
11 designee must provide a disclosure to any patient scheduled for an
12 appointment with the license holder during the period of time that
13 the license holder is subject to the order or stipulation. The
14 disclosure must only be provided to a patient at or prior to the
15 patient's first visit with the license holder following entry of the
16 order or stipulation.

17 (2) The disclosure must include a copy of the public order or
18 stipulation, a description of all sanctions placed on the license
19 holder by the disciplining authority in the order or stipulation, the
20 duration of all sanctions, the disciplining authority's telephone
21 number, and an explanation of how the patient can find more

1 information about the license holder on the disciplining authority's
2 online license information web site.

3 (3) The license holder must provide the patient or the patient's
4 surrogate decision maker as designated under RCW 7.70.065 with the
5 disclosure indicating that the patient has received a copy of the
6 public order or stipulation and is aware the provider has been
7 sanctioned for unprofessional conduct involving sexual misconduct,
8 which must be signed by the patient or a surrogate decision maker. A
9 copy of the signed disclosure must be maintained in the patient's
10 file.

11 (4) A disciplining authority may adopt rules to exempt certain
12 types of sexual misconduct from the requirements of this section.

13 (5) This section does not apply to license holders subject to
14 chapter 18.92 RCW.

15 (6) For purposes of this section:

16 (a) "Order" means an order issued by a disciplining authority
17 including, but not limited to, an agreed order, default order, final
18 order, or a reinstatement order, but does not include a summary
19 restriction order.

20 (b) "Stipulation" means a stipulation to informal disposition.

21 NEW SECTION. **Sec. 2.** This act takes effect October 1, 2019.

Passed by the House March 4, 2019.
Passed by the Senate April 11, 2019.
Approved by the Governor April 19, 2019.
Filed in Office of Secretary of State April 22, 2019.

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