

SHB 1129 - S COMM AMD

By Committee on Health & Long Term Care

ADOPTED AND ENGROSSED 04/10/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 18.71.095 and 2020 c 325 s 5 are each amended to
4 read as follows:

5 The commission may, without examination, issue a limited license
6 to persons who possess the qualifications set forth herein:

7 (1) The commission may, upon the written request of the secretary
8 of the department of social and health services, the secretary of
9 children, youth, and families, or the secretary of corrections, issue
10 a limited license to practice medicine in this state to persons who
11 have been accepted for employment by the department of social and
12 health services, the department of children, youth, and families, or
13 the department of corrections as physicians; who are licensed to
14 practice medicine in another state of the United States or in the
15 country of Canada or any province or territory thereof; and who meet
16 all of the qualifications for licensure set forth in RCW 18.71.050.

17 Such license shall permit the holder thereof to practice medicine
18 only in connection with patients, residents, or inmates of the state
19 institutions under the control and supervision of the secretary of
20 the department of social and health services, the department of
21 children, youth, and families, or the department of corrections.

22 (2) The commission may issue a limited license to practice
23 medicine in this state to persons who have been accepted for
24 employment by a county or city health department as physicians; who
25 are licensed to practice medicine in another state of the United
26 States or in the country of Canada or any province or territory
27 thereof; and who meet all of the qualifications for licensure set
28 forth in RCW 18.71.050.

29 Such license shall permit the holder thereof to practice medicine
30 only in connection with his or her duties in employment with the city
31 or county health department.

1 (3) Upon receipt of a completed application showing that the
2 applicant meets all of the requirements for licensure set forth in
3 RCW 18.71.050 except for completion of two years of postgraduate
4 medical training, and that the applicant has been appointed as a
5 resident physician in a program of postgraduate clinical training in
6 this state approved by the commission, the commission may issue a
7 limited license to a resident physician. Such license shall permit
8 the resident physician to practice medicine only in connection with
9 his or her duties as a resident physician and shall not authorize the
10 physician to engage in any other form of practice. Each resident
11 physician shall practice medicine only under the supervision and
12 control of a physician licensed in this state, but such supervision
13 and control shall not be construed to necessarily require the
14 personal presence of the supervising physician at the place where
15 services are rendered.

16 (4) (a) Upon nomination by the dean of an accredited school of
17 medicine in the state of Washington or the chief executive officer of
18 a hospital or other appropriate health care facility licensed in the
19 state of Washington, the commission may issue a limited license to a
20 physician applicant invited to serve as a teaching-research member of
21 the institution's instructional staff if the sponsoring institution
22 and the applicant give evidence that he or she has graduated from a
23 recognized medical school and has been licensed or otherwise
24 privileged to practice medicine at his or her location of origin.
25 Such license shall permit the recipient to practice medicine only
26 within the confines of the instructional program specified in the
27 application and shall terminate whenever the holder ceases to be
28 involved in that program, or at the end of one year, whichever is
29 earlier. Upon request of the applicant and the institutional
30 authority, the license may be renewed. The holder of a teaching
31 research license under this subsection (4) (a) is eligible for full
32 licensure if the following conditions are met:

33 (i) If the applicant has not graduated from a school of medicine
34 located in any state, territory, or possession of the United States,
35 the District of Columbia, or the Dominion of Canada, the applicant
36 must satisfactorily pass the certification process by the educational
37 commission for foreign medical graduates;

38 (ii) The applicant has successfully completed the exam
39 requirements set forth by the commission by rule;

1 (iii) The applicant has the ability to read, write, speak,
2 understand, and be understood in the English language at a level
3 acceptable for performing competent medical care in all practice
4 settings;

5 (iv) The applicant has continuously held a position of associate
6 professor or higher at an accredited Washington state medical school
7 for no less than three years; and

8 (v) The applicant has had no disciplinary action taken in the
9 previous five years.

10 (b) Upon nomination by the dean of an accredited school of
11 medicine in the state of Washington or the chief executive officer of
12 any hospital or appropriate health care facility licensed in the
13 state of Washington, the commission may issue a limited license to an
14 applicant selected by the sponsoring institution to be enrolled in
15 one of its designated departmental or divisional fellowship programs
16 provided that the applicant shall have graduated from a recognized
17 medical school and has been granted a license or other appropriate
18 certificate to practice medicine in the location of the applicant's
19 origin. Such license shall permit the holder only to practice
20 medicine within the confines of the fellowship program to which he or
21 she has been appointed and, upon the request of the applicant and the
22 sponsoring institution, the license may be renewed by the commission.

23 All persons licensed under this section shall be subject to the
24 jurisdiction of the commission to the same extent as other members of
25 the medical profession, in accordance with this chapter and chapter
26 18.130 RCW.

27 Persons applying for licensure and renewing licenses pursuant to
28 this section shall comply with administrative procedures,
29 administrative requirements, and fees determined as provided in RCW
30 43.70.250 and 43.70.280. Any person who obtains a limited license
31 pursuant to this section may apply for licensure under this chapter,
32 but shall submit a new application form and comply with all other
33 licensing requirements of this chapter.

34 (5) The commission may issue a time-limited clinical experience
35 license to an applicant who does not qualify for licensure under RCW
36 18.71.050 or chapter 18.71B RCW and who meets the requirements
37 established by the commission in rule for the purpose of gaining
38 clinical experience at an approved facility or program.

39 (6) (a) Upon nomination by the chief medical officer of any
40 hospital, appropriate medical practice located in the state of

1 Washington, the department of social and health services, the
2 department of children, youth, and families, the department of
3 corrections, or a county or city health department, the commission
4 may issue a limited license to an international medical graduate if
5 the applicant:

6 (i) Has been a Washington state resident for at least one year;

7 (ii) Provides proof the applicant is certified by the educational
8 commission for foreign medical graduates;

9 (iii) Has passed all steps of the United States medical licensing
10 examination; and

11 (iv) Submits to the commission background check process required
12 of applicants generally.

13 (b) A license holder under this subsection may only practice:

14 (i) Under the supervision and control of a physician who is
15 licensed in this state under chapter 18.71 or 18.57 RCW and is of the
16 same or substantially similar clinical specialty; and

17 (ii) Within the nominating facility or organization.

18 (c) A license holder must file with the commission a practice
19 agreement between the license holder and the supervising physician
20 who is of the same or substantially similar clinical specialty.

21 (d) A supervising physician may supervise no more than two
22 license holders under this subsection unless the commission grants a
23 request to increase this limit.

24 (e) A limited license issued under this subsection is valid for
25 two years and may be renewed once by the commission upon application
26 for renewal by the nominating entity.

27 (f) All persons licensed under this subsection are subject to the
28 jurisdiction of the commission to the same extent as other members of
29 the medical profession, in accordance with this chapter and chapter
30 18.130 RCW.

31 (g) Persons applying for licensure and renewing licenses under
32 this subsection shall comply with administrative procedures,
33 administrative requirements, and fees determined as provided in RCW
34 43.70.250 and 43.70.280.

35 (h) The supervising physician shall retain professional and
36 personal responsibility for any act which constitutes the practice of
37 medicine as defined in RCW 18.71.011 or the practice of osteopathic
38 medicine and surgery as defined in RCW 18.57.001 when performed by an
39 international medical graduate practicing under their supervision.
40 The supervising physician must hold medical malpractice insurance for

1 any malpractice claim against an international medical graduate
2 practicing under their supervision."

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3 On page 1, line 2 of the title, after "graduates;" strike the
4 remainder of the title and insert "and amending RCW 18.71.095."

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