

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5423**

67th Legislature  
2021 Regular Session

Passed by the Senate April 15, 2021  
Yeas 48 Nays 0

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**President of the Senate**

Passed by the House March 24, 2021  
Yeas 98 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5423** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5423**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2021 Regular Session

**State of Washington                      67th Legislature                      2021 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Rivers, Cleveland, and Holy)

READ FIRST TIME 02/11/21.

1            AN ACT Relating to telemedicine consultations; and amending RCW  
2 18.71.030 and 18.57.040.

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

4            **Sec. 1.** RCW 18.71.030 and 2019 c 270 s 3 are each amended to  
5 read as follows:

6            Nothing in this chapter shall be construed to apply to or  
7 interfere in any way with the practice of religion or any kind of  
8 treatment by prayer; nor shall anything in this chapter be construed  
9 to prohibit:

10            (1) The furnishing of medical assistance in cases of emergency  
11 requiring immediate attention;

12            (2) The domestic administration of family remedies;

13            (3) The administration of oral medication of any nature to  
14 students by public school district employees or private elementary or  
15 secondary school employees as provided for in chapter 28A.210 RCW;

16            (4) The practice of dentistry, osteopathic medicine and surgery,  
17 nursing, chiropractic, podiatric medicine and surgery, optometry,  
18 naturopathy, or any other healing art licensed under the methods or  
19 means permitted by such license;

20            (5) The practice of medicine in this state by any commissioned  
21 medical officer serving in the armed forces of the United States or

1 public health service or any medical officer on duty with the United  
2 States veterans administration while such medical officer is engaged  
3 in the performance of the duties prescribed for him or her by the  
4 laws and regulations of the United States;

5 (6) The consultation through telemedicine or other means by a  
6 practitioner, licensed by another state or territory in which he or  
7 she resides, with a practitioner licensed in this state who has  
8 responsibility for the diagnosis and treatment of the patient within  
9 this state;

10 (7) The in-person practice of medicine by any practitioner  
11 licensed by another state or territory in which he or she resides,  
12 provided that such practitioner shall not open an office or appoint a  
13 place of meeting patients or receiving calls within this state;

14 ((+7)) (8) The practice of medicine by a person who is a regular  
15 student in a school of medicine approved and accredited by the  
16 commission if:

17 (a) The performance of such services is only pursuant to a  
18 regular course of instruction or assignments from his or her  
19 instructor ((+)); or

20 (b) Such services are performed only under the supervision and  
21 control of a person licensed pursuant to this chapter; or

22 (c)(i) Such services are performed without compensation or  
23 expectation of compensation as part of a volunteer activity;

24 (ii) The student is under the direct supervision and control of a  
25 pharmacist licensed under chapter 18.64 RCW, an osteopathic physician  
26 and surgeon licensed under chapter 18.57 RCW, or a registered nurse  
27 or advanced registered nurse practitioner licensed under chapter  
28 18.79 RCW;

29 (iii) The services the student performs are within the scope of  
30 practice of: (A) A physician licensed under this chapter; and (B) the  
31 person supervising the student;

32 (iv) The school in which the student is enrolled verifies the  
33 student has demonstrated competency through his or her education and  
34 training to perform the services; and

35 (v) The student provides proof of current malpractice insurance  
36 to the volunteer activity organizer prior to performing any services;

37 ((+8)) (9) The practice of medicine by a person serving a period  
38 of postgraduate medical training in a program of clinical medical  
39 training sponsored by a college or university in this state or by a

1 hospital accredited in this state, however, the performance of such  
2 services shall be only pursuant to his or her duties as a trainee;

3 ~~((9))~~ (10) The practice of medicine by a person who is  
4 regularly enrolled in a physician assistant program approved by the  
5 commission, however, the performance of such services shall be only  
6 pursuant to a regular course of instruction in said program and such  
7 services are performed only under the supervision and control of a  
8 person licensed pursuant to this chapter;

9 ~~((10))~~ (11) The practice of medicine by a licensed physician  
10 assistant which practice is performed under the supervision and  
11 control of a physician licensed pursuant to this chapter;

12 ~~((11))~~ (12) The practice of medicine, in any part of this state  
13 which shares a common border with Canada and which is surrounded on  
14 three sides by water, by a physician licensed to practice medicine  
15 and surgery in Canada or any province or territory thereof;

16 ~~((12))~~ (13) The administration of nondental anesthesia by a  
17 dentist who has completed a residency in anesthesiology at a school  
18 of medicine approved by the commission, however, a dentist allowed to  
19 administer nondental anesthesia shall do so only under authorization  
20 of the patient's attending surgeon, obstetrician, or psychiatrist,  
21 and the commission has jurisdiction to discipline a dentist  
22 practicing under this exemption and enjoin or suspend such dentist  
23 from the practice of nondental anesthesia according to this chapter  
24 and chapter 18.130 RCW;

25 ~~((13))~~ (14) Emergency lifesaving service rendered by a  
26 physician's trained advanced emergency medical technician and  
27 paramedic, as defined in RCW 18.71.200, if the emergency lifesaving  
28 service is rendered under the responsible supervision and control of  
29 a licensed physician;

30 ~~((14))~~ (15) The provision of clean, intermittent bladder  
31 catheterization for students by public school district employees or  
32 private school employees as provided for in RCW 18.79.290 and  
33 28A.210.280.

34 **Sec. 2.** RCW 18.57.040 and 2019 c 270 s 2 are each amended to  
35 read as follows:

36 Nothing in this chapter shall be construed to prohibit:

37 (1) Service in the case of emergency;

38 (2) The domestic administration of family remedies;

1 (3) The practice of midwifery as permitted under chapter 18.50  
2 RCW;

3 (4) The practice of osteopathic medicine and surgery by any  
4 commissioned medical officer in the United States government or  
5 military service or by any osteopathic physician and surgeon employed  
6 by a federal agency, in the discharge of his or her official duties;

7 (5) Practice by a dentist licensed under chapter 18.32 RCW when  
8 engaged exclusively in the practice of dentistry;

9 (6) The consultation through telemedicine or other means by a  
10 practitioner, licensed by another state or territory in which he or  
11 she resides, with a practitioner licensed in this state who has  
12 responsibility for the diagnosis and treatment of the patient within  
13 this state;

14 (7) ((Practice)) In-person practice by any osteopathic physician  
15 and surgeon from any other state or territory in which he or she  
16 resides: PROVIDED, That such practitioner shall not open an office or  
17 appoint a place of meeting patients or receive calls within the  
18 limits of this state;

19 ((+7)) (8) Practice by a person who is a student enrolled in an  
20 accredited school of osteopathic medicine and surgery approved by the  
21 board if:

22 (a) The performance of such services is only pursuant to a course  
23 of instruction or assignments from his or her instructor or school,  
24 and such services are performed only under the supervision of a  
25 person licensed pursuant to this chapter or chapter 18.71 RCW; or

26 (b) (i) Such services are performed without compensation or  
27 expectation of compensation as part of a volunteer activity;

28 (ii) The student is under the direct supervision and control of a  
29 pharmacist licensed under chapter 18.64 RCW, a physician licensed  
30 under chapter 18.71 RCW, an osteopathic physician and surgeon  
31 licensed under this chapter ((18.57 RCW)), or a registered nurse or  
32 advanced registered nurse practitioner licensed under chapter 18.79  
33 RCW;

34 (iii) The services the student performs are within the scope of  
35 practice of: (A) An osteopathic physician and surgeon licensed under  
36 this chapter; and (B) the person supervising the student;

37 (iv) The school in which the student is enrolled verifies the  
38 student has demonstrated competency through his or her education and  
39 training to perform the services; and

1 (v) The student provides proof of current malpractice insurance  
2 to the volunteer activity organizer prior to performing any services;  
3 ~~((8))~~ (9) Practice by an osteopathic physician and surgeon  
4 serving a period of clinical postgraduate medical training in a  
5 postgraduate program approved by the board: PROVIDED, That the  
6 performance of such services be only pursuant to a course of  
7 instruction in said program, and said services are performed only  
8 under the supervision and control of a person licensed pursuant to  
9 this chapter or chapter 18.71 RCW; or  
10 ~~((9))~~ (10) Practice by a person who is enrolled in a physician  
11 assistant program approved by the board who is performing such  
12 services only pursuant to a course of instruction in said program:  
13 PROVIDED, That such services are performed only under the supervision  
14 and control of a person licensed pursuant to this chapter or chapter  
15 18.71 RCW.  
16 This chapter shall not be construed to apply in any manner to any  
17 other system or method of treating the sick or afflicted or to apply  
18 to or interfere in any way with the practice of religion or any kind  
19 of treatment by prayer.

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