

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5753

Chapter 240, Laws of 2022

67th Legislature
2022 Regular Session

HEALTH PROFESSIONS BOARDS AND COMMISSIONS—MODIFICATION

EFFECTIVE DATE: June 9, 2022—Except for section 28, which takes effect July 1, 2022.

Passed by the Senate March 7, 2022
Yeas 31 Nays 18

DENNY HECK

President of the Senate

Passed by the House March 1, 2022
Yeas 57 Nays 41

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 30, 2022 2:58 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5753** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 31, 2022

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5753

AS AMENDED BY THE HOUSE

Passed Legislature - 2022 Regular Session

State of Washington 67th Legislature 2022 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Robinson and Lovick; by request of Department of Health)

READ FIRST TIME 01/25/22.

1 AN ACT Relating to enhancing the capacity of health profession
2 boards, commissions, and advisory committees; amending RCW
3 18.32.0351, 18.32.0355, 18.52.040, 18.52.050, 18.74.020, 18.74.027,
4 18.92.021, 18.92.040, 18.108.020, 18.83.035, 18.83.045, 18.83.051,
5 18.64.001, 18.64.003, 18.64.005, 18.64.310, 18.59.120, 18.30.050,
6 18.30.060, 18.36A.150, 18.54.030, 18.54.060, 18.54.130, 18.35.150,
7 18.57.003, 18.57.003, 18.22.014, 18.200.060, 18.25.0165, 18.79.070,
8 18.79.140, and 18.71.015; adding a new section to chapter 18.64 RCW;
9 adding a new section to chapter 18.59 RCW; providing an effective
10 date; and providing an expiration date.

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

12 **Sec. 1.** RCW 18.32.0351 and 2007 c 269 s 16 are each amended to
13 read as follows:

14 The Washington state dental quality assurance commission is
15 established, consisting of ~~((sixteen))~~ seventeen members each
16 appointed by the governor to a four-year term. No member may serve
17 more than two consecutive full terms. ~~((In appointing the initial
18 members of the commission, it is the intent of the legislature that,
19 to the extent possible, members of the previous boards and committees
20 regulating these professions be appointed to the commission.))~~
21 Members of the commission hold office until their successors are

1 appointed. (~~The governor may appoint members of the initial~~
2 ~~commission to staggered terms of from one to four years. Thereafter,~~
3 ~~all~~) All members shall be appointed to full four-year terms. Twelve
4 members of the commission must be dentists, two members must be
5 expanded function dental auxiliaries licensed under chapter 18.260
6 RCW, and (~~two~~) three members must be public members.

7 **Sec. 2.** RCW 18.32.0355 and 1994 sp.s. c 9 s 206 are each amended
8 to read as follows:

9 Members must be (~~citizens of the United States and~~) residents
10 of this state. Dentist members must be licensed dentists in the
11 active practice of dentistry for a period of five years before
12 appointment. Of the twelve dentists appointed to the commission, at
13 least four must reside and engage in the active practice of dentistry
14 east of the summit of the Cascade mountain range. Public members of
15 the commission may not be a member of any other health care licensing
16 board or commission, or have a fiduciary obligation to a facility
17 rendering health services regulated by the commission, or have a
18 material or financial interest in the rendering of health services
19 regulated by the commission.

20 **Sec. 3.** RCW 18.52.040 and 2011 c 336 s 488 are each amended to
21 read as follows:

22 (1) The state board of nursing home administrators shall consist
23 of (~~nine~~) eleven members appointed by the governor. (~~Four~~) Six
24 members shall be persons licensed under this chapter who have at
25 least four years actual experience in the administration of a
26 licensed nursing home in this state (~~immediately preceding~~
27 ~~appointment to the board and who are not employed by the state or~~
28 ~~federal government~~). At least one, but not more than two, of the six
29 administrator members shall be an administrator of an assisted living
30 facility or a continuing care retirement community.

31 (~~Four~~) (2) Three members shall be representatives of (~~the~~
32 ~~health care professions~~) one or more of the following:

33 (a) Licensed health care professionals providing medical or
34 nursing services in nursing homes who are privately or self-employed;
35 (~~or shall be persons employed by~~)

36 (b) Faculty or administrators of educational institutions who
37 have special knowledge (~~or expertise in the field of health care~~)

1 ~~administration, health care education or long-term care or both, or~~
2 ~~care of the aged and chronically ill.~~

3 ~~One member))~~ of health care education, long-term care, or care of
4 the aged or elderly; or

5 (c) Persons currently employed in areas related to the long-term
6 care field including, but not limited to, pharmacy, home health,
7 adult family homes, or therapy services.

8 (3) Two members shall be ((a)) members of the health care
9 consuming public who are residents of ((a)) nursing homes or ((a))
10 family members of ((a-resident)) nursing home residents or ((a))
11 persons eligible for medicare. No member who is a nonadministrator
12 representative shall have any direct or family financial interest in
13 nursing homes while serving as a member of the board. The governor
14 shall consult with and seek the recommendations of the appropriate
15 statewide business and professional organizations and societies
16 primarily concerned with long-term health care facilities in the
17 course of considering his or her appointments to the board. ((Board
18 ~~members currently serving shall continue to serve until the~~
19 ~~expiration of their appointments.))~~

20 **Sec. 4.** RCW 18.52.050 and 1992 c 53 s 5 are each amended to read
21 as follows:

22 Members of the board shall be ((~~citizens of the United States~~
23 ~~and~~)) residents of this state. All administrator members of the board
24 shall be holders of licenses under this chapter. The terms of all
25 members shall be five years. Any board member may be removed for just
26 cause including a finding of fact of unprofessional conduct or
27 impaired practice. The governor may appoint a new member to fill any
28 vacancy on the board for the remainder of the unexpired term. No
29 board member may serve more than two consecutive full terms((~~7~~
30 ~~whether full or partial~~)). Board members shall serve until their
31 successors are appointed. Board members shall be compensated in
32 accordance with RCW ((~~43.03.240~~)) 43.03.265 and shall be reimbursed
33 for travel expenses as provided in RCW 43.03.050 and 43.03.060. The
34 board is designated as a class five group for purposes of chapter
35 43.03 RCW. The board may elect annually a chair and vice chair to
36 direct the meetings of the board. The board shall meet at least four
37 times each year and may hold additional meetings as called by the
38 secretary or the chair. A majority of the board members appointed and
39 serving constitutes a quorum for the transaction of board business.

1 The affirmative vote of a majority of a quorum of the board is
2 required to carry a motion or resolution, to adopt a rule, or to pass
3 a measure.

4 **Sec. 5.** RCW 18.74.020 and 2007 c 98 s 2 are each amended to read
5 as follows:

6 The state board of physical therapy is hereby created. The board
7 shall consist of (~~six~~) seven members who shall be appointed by the
8 governor. (~~Of the initial appointments, two shall be appointed for a~~
9 ~~term of two years, two for a term of three years, and one for a term~~
10 ~~of four years. Thereafter, all appointments shall be for terms of~~
11 ~~four years. Four~~) Five members of the board shall be physical
12 therapists licensed under this chapter and residing in this state,
13 shall have not less than five years' experience in the practice of
14 physical therapy, and shall be actively engaged in practice within
15 two years of appointment. One member shall be a physical therapist
16 assistant licensed under this chapter and residing in this state,
17 shall not have less than five years' experience in the practice of
18 physical therapy, and shall be actively engaged in practice within
19 two years of appointment. The (~~sixth~~) seventh member shall be
20 appointed from the public at large, shall have an interest in the
21 rights of consumers of health services, and shall not be or have been
22 a member of any other licensing board, a licensee of any health
23 occupation board, an employee of any health facility nor derive his
24 or her primary livelihood from the provision of health services at
25 any level of responsibility. In the event that a member of the board
26 for any reason cannot complete his or her term of office, another
27 appointment shall be made by the governor in accordance with the
28 procedure stated in this section to fill the remainder of the term.
29 No member may serve for more than two (~~successive~~) consecutive full
30 four-year terms.

31 The secretary of health shall furnish such secretarial, clerical,
32 and other assistance as the board may require. Each member of the
33 board shall, in addition to travel expenses in accordance with RCW
34 43.03.050 and 43.03.060, be compensated in accordance with RCW
35 (~~43.03.240~~) 43.03.265. The board is designated as a class five
36 group for purposes of chapter 43.03 RCW.

37 **Sec. 6.** RCW 18.74.027 and 1983 c 116 s 5 are each amended to
38 read as follows:

1 The board shall elect from its members a chairperson and vice
2 chairperson-secretary, who shall serve for one year and until their
3 successors are elected. The board shall meet at least once a year and
4 upon the call of the chairperson at such times and places as the
5 chairperson designates. (~~Three members constitute a quorum of the~~
6 ~~full board for the transaction of any business.~~) A majority of the
7 board members appointed and serving constitutes a quorum for the
8 transaction of board business. The affirmative vote of a majority of
9 a quorum of the board is required to carry a motion or resolution, to
10 adopt a rule, or to pass a measure. Meetings of the board shall be
11 open and public, except the board may hold executive sessions to the
12 extent permitted by chapter 42.30 RCW.

13 **Sec. 7.** RCW 18.92.021 and 2007 c 235 s 3 are each amended to
14 read as follows:

15 (1) There is created a Washington state veterinary board of
16 governors (~~consisting~~) reflecting the diverse practice of animal
17 medicine, including large animal, small animal, and specialty
18 practice, as well as diverse types of employment and practice
19 ownership including sole proprietorships, partnerships, and
20 corporations. The board shall consist of (~~seven~~) nine members,

21 (~~five~~) six of whom shall be licensed veterinarians, one of whom
22 shall be a licensed veterinary technician (~~trained in both large and~~
23 ~~small animal medicine~~), one of whom shall be a licensed veterinarian
24 or a licensed veterinary technician, and one of whom shall be a
25 (~~lay~~) member of the public.

26 (2)(a) The licensed members shall be appointed by the governor.
27 At the time of their appointment the licensed members of the board
28 must be actual residents of the state in active practice as licensed
29 practitioners of veterinary medicine, surgery, and dentistry, or
30 employed as a licensed veterinary technician, as applicable(~~, and~~
31 ~~must be citizens of the United States~~). Not more than (~~one~~) two
32 licensed veterinary members shall be from the same congressional
33 district. The board shall not be deemed to be unlawfully constituted
34 and a member of the board shall not be deemed ineligible to serve the
35 remainder of the member's unexpired term on the board solely by
36 reason of the establishment of new or revised boundaries for
37 congressional districts.

38 (b) The terms of the (~~first licensed~~) members (~~of the board~~)
39 shall be (~~as follows: One member for five, four, three, two, and one~~

1 ~~years respectively. Thereafter the terms shall be for~~) five years
2 and until their successors are appointed and qualified.

3 ~~(c) ((The lay member shall be appointed by the governor for a
4 five year term and until the lay member's successor is appointed.~~

5 ~~(d))~~ A member may be appointed to serve ~~((a second term, if that
6 term does not run consecutively))~~ two consecutive full terms.

7 ~~((e))~~ (d) Vacancies ~~((in))~~ on the board shall be filled by the
8 governor, the appointee to hold office for the remainder of the
9 unexpired term.

10 (3) ~~((The licensed veterinary technician member is a nonvoting
11 member with respect to board decisions related to the discipline of a
12 veterinarian involving standard of care.~~

13 ~~(4))~~ Officers of the board shall be a chair and a ~~((secretary-
14 treasurer))~~ vice chair to be chosen by the members of the board from
15 among its members.

16 ~~((5) Four members of the board shall constitute a quorum at
17 meetings of the board.))~~ (4) A majority of the board members
18 appointed and serving constitutes a quorum for the transaction of
19 board business. The affirmative vote of a majority of a quorum of the
20 board is required to carry a motion or resolution, to adopt a rule,
21 or to pass a measure.

22 **Sec. 8.** RCW 18.92.040 and 1991 c 3 s 240 are each amended to
23 read as follows:

24 Each member of the board shall be compensated in accordance with
25 RCW ~~((43.70.250))~~ 43.03.265 and shall be reimbursed for travel
26 expenses in accordance with RCW 43.03.050 and 43.03.060. The board is
27 designated as a class five group for purposes of chapter 43.03 RCW.
28 No expense may be incurred by members of the board except in
29 connection with board meetings without prior approval of the
30 secretary.

31 **Sec. 9.** RCW 18.108.020 and 1991 c 3 s 253 are each amended to
32 read as follows:

33 The Washington state board of massage is ~~((hereby))~~ created. The
34 board shall consist of ~~((four))~~ seven members who shall be appointed
35 by the governor for a term of four years each. ~~((Members))~~ All
36 members shall be residents of this state ~~((and shall have not less
37 than three years experience in the practice of massage immediately
38 preceding their appointment and shall be licensed under this chapter~~

1 and actively engaged in the practice of massage during their
2 incumbency.

3 In addition to the members specified in this section, the
4 governor shall appoint a consumer member of the board, who shall
5 serve for a term of four years. The consumer member of the board
6 shall be an individual who does not derive his or her livelihood by
7 providing health care services or massage therapy and is not a
8 licensed health professional. The consumer member shall not be an
9 employee of the state nor a present or former member of another
10 licensing board)). Five members shall be massage therapists licensed
11 under this chapter with at least three years' experience in the
12 practice of massage immediately preceding their appointment and shall
13 at all times during their terms remain licensed massage therapists.

14 One member shall be a consumer whose occupation does not include
15 the administration of health activities or the provision of health
16 services and who has no material financial interest in the provision
17 of health care services.

18 One member shall be a massage educator or massage school owner
19 with at least three years' experience in the teaching or
20 administration of direct student learning of the practice of massage.
21 The educator or school owner member is not required to be a licensed
22 massage therapist. The member shall recuse themselves from any board
23 deliberations or decision making involving the school or educational
24 program with which the member is professionally affiliated.

25 In the event that a member cannot complete ((his or her)) their
26 term of office, another appointment shall be made by the governor in
27 accordance with the procedures stated in this section to fill the
28 remainder of the term. No member may serve more than two successive
29 full terms ((whether full or partial)). The governor may remove any
30 member of the board for neglect of duty, incompetence, or
31 unprofessional or disorderly conduct as determined under chapter
32 18.130 RCW.

33 Each member of the board shall be compensated in accordance with
34 RCW ((43.03.240)) 43.03.265. The board is designated as a class five
35 group for purposes of chapter 43.03 RCW. Members shall be reimbursed
36 for travel expenses incurred in the actual performance of their
37 duties, as provided in RCW 43.03.050 and 43.03.060.

38 The board may annually elect a chairperson to direct the meetings
39 of the board. The board shall meet as called by the chairperson or
40 the secretary. ((Three members of the board shall constitute a quorum

1 ~~of the board.))~~ A majority of the board members appointed and serving
2 constitutes a quorum for the transaction of board business. The
3 affirmative vote of a majority of a quorum of the board is required
4 to carry a motion or resolution, to adopt a rule, or to pass a
5 measure.

6 **Sec. 10.** RCW 18.83.035 and 1989 c 226 s 1 are each amended to
7 read as follows:

8 There is created the examining board of psychology which shall
9 examine the qualifications of applicants for licensing. The board
10 shall consist of (~~seven~~) nine psychologists and two public members,
11 all appointed by the governor. The public members shall not be and
12 have never been psychologists or in training to be psychologists;
13 they may not have any household member who is a psychologist or in
14 training to be a psychologist; they may not participate or ever have
15 participated in a commercial or professional field related to
16 psychology, nor have a household member who has so participated; and
17 they may not have had within two years before appointment a
18 substantial financial interest in a person regulated by the board.
19 Each psychologist member of the board shall (~~be a citizen of the~~
20 ~~United States who has~~) have actively practiced psychology in the
21 state of Washington for at least three years immediately preceding
22 appointment and who is licensed under this chapter. Board members
23 shall be appointed for a term of five years, except that the terms of
24 the existing appointees shall be adjusted by the governor so that no
25 more than two members' terms expire each year with all subsequent
26 appointments for a five-year term. Upon the death, resignation, or
27 removal of a member, the governor shall appoint a successor to serve
28 for the unexpired term. The board shall elect one of its members to
29 serve as chairperson.

30 **Sec. 11.** RCW 18.83.045 and 1991 c 3 s 195 are each amended to
31 read as follows:

32 The board shall meet at least once each year and at such other
33 times as the board deems appropriate to properly discharge its
34 duties. All meetings shall be held in Olympia, Washington, or such
35 other places as may be designated by the secretary. Five members of
36 the board shall constitute a quorum, except that oral examinations
37 may be conducted with only three psychologist members. A majority of
38 the board members appointed and serving constitutes a quorum for the

1 transaction of board business. The affirmative vote of a majority of
2 a quorum of the board is required to carry a motion or resolution, to
3 adopt a rule, or to pass a measure.

4 **Sec. 12.** RCW 18.83.051 and 1984 c 287 s 48 are each amended to
5 read as follows:

6 Each member of the board shall be compensated in accordance with
7 RCW ((43.03.240)) 43.03.265 and in addition thereto shall be
8 reimbursed for travel expenses incurred in carrying out the duties of
9 the board in accordance with RCW 43.03.050 and 43.03.060. The board
10 is designated as a class five group for purposes of chapter 43.03
11 RCW.

12 **Sec. 13.** RCW 18.64.001 and 2013 c 19 s 3 are each amended to
13 read as follows:

14 There shall be a state pharmacy quality assurance commission
15 consisting of fifteen members, to be appointed by the governor by and
16 with the advice and consent of the senate. Ten of the members shall
17 be designated as pharmacist members, four of the members shall be
18 designated a public member, and one member shall be a pharmacy
19 technician.

20 Each pharmacist member shall be a ((~~citizen of the United States~~
21 ~~and a~~)) resident of this state, and at the time of his or her
22 appointment shall have been a duly registered pharmacist under the
23 laws of this state for a period of at least five consecutive years
24 immediately preceding his or her appointment and shall at all times
25 during his or her incumbency continue to be a duly licensed
26 pharmacist: PROVIDED, That subject to the availability of qualified
27 candidates the governor shall appoint pharmacist members
28 representative of the areas of practice and geographically
29 representative of the state of Washington.

30 The public member shall be a ((~~citizen of the United States and~~
31 ~~a~~)) resident of this state. The public member shall be appointed from
32 the public at large, but shall not be affiliated with any aspect of
33 pharmacy.

34 Members of the commission shall hold office for a term of four
35 years, and the terms shall be staggered so that the terms of office
36 of not more than two members will expire simultaneously on the third
37 Monday in January of each year.

1 No person who has been appointed to and served for two four year
2 terms shall be eligible for appointment to the commission.

3 Each member shall qualify by taking the usual oath of a state
4 officer, which shall be filed with the secretary of state, and each
5 member shall hold office for the term of his or her appointment and
6 until his or her successor is appointed and qualified.

7 In case of the resignation or disqualification of a member, or a
8 vacancy occurring from any cause, the governor shall appoint a
9 successor for the unexpired term.

10 **Sec. 14.** RCW 18.64.003 and 2013 c 19 s 4 are each amended to
11 read as follows:

12 Members of the commission shall meet at such places and times as
13 it shall determine and as often as necessary to discharge the duties
14 imposed upon it. The commission shall elect a chairperson and a vice
15 chairperson from among its members. A majority of the commission
16 members appointed and serving constitutes a quorum for the
17 transaction of commission business. The affirmative vote of a
18 majority of a quorum of the commission is required to carry a motion
19 or resolution, to adopt a rule, or to pass a measure. The commission
20 is designated as a class five group for purposes of chapter 43.03
21 RCW. Each member shall be compensated in accordance with RCW
22 ((43.03.240)) 43.03.265 and shall be reimbursed for travel expenses
23 in accordance with RCW 43.03.050 and 43.03.060.

24 **Sec. 15.** RCW 18.64.005 and 2013 c 19 s 5 are each amended to
25 read as follows:

26 The commission shall:

27 (1) Regulate the practice of pharmacy and enforce all laws placed
28 under its jurisdiction;

29 (2) Prepare or determine the nature of, and supervise the grading
30 of, examinations for applicants for pharmacists' licenses;

31 (3) Establish the qualifications for licensure of pharmacists or
32 pharmacy interns;

33 (4) Conduct hearings for the revocation or suspension of
34 licenses, permits, registrations, certificates, or any other
35 authority to practice granted by the commission, which hearings may
36 also be conducted by an administrative law judge appointed under
37 chapter 34.12 RCW or a presiding officer designated by the
38 commission. The commission may authorize the secretary, or their

1 designee, to serve as the presiding officer for any disciplinary
2 proceedings of the commission authorized under this chapter. The
3 presiding officer shall not vote on or make any final decision in
4 cases pertaining to standards of practice or where clinical expertise
5 is necessary. All functions performed by the presiding officer shall
6 be subject to chapter 34.05 RCW;

7 (5) Issue subpoenas and administer oaths in connection with any
8 hearing, or disciplinary proceeding held under this chapter or any
9 other chapter assigned to the commission;

10 (6) Assist the regularly constituted enforcement agencies of this
11 state in enforcing all laws pertaining to drugs, controlled
12 substances, and the practice of pharmacy, or any other laws or rules
13 under its jurisdiction;

14 (7) Promulgate rules for the dispensing, distribution,
15 wholesaling, and manufacturing of drugs and devices and the practice
16 of pharmacy for the protection and promotion of the public health,
17 safety, and welfare. Violation of any such rules shall constitute
18 grounds for refusal, suspension, or revocation of licenses or any
19 other authority to practice issued by the commission;

20 (8) Adopt rules establishing and governing continuing education
21 requirements for pharmacists and other licensees applying for renewal
22 of licenses under this chapter;

23 (9) Be immune, collectively and individually, from suit in any
24 action, civil or criminal, based upon any disciplinary proceedings or
25 other official acts performed as members of the commission. Such
26 immunity shall apply to employees of the department when acting in
27 the course of disciplinary proceedings;

28 (10) Suggest strategies for preventing, reducing, and eliminating
29 drug misuse, diversion, and abuse, including professional and public
30 education, and treatment of persons misusing and abusing drugs;

31 (11) Conduct or encourage educational programs to be conducted to
32 prevent the misuse, diversion, and abuse of drugs for health care
33 practitioners and licensed or certified health care facilities;

34 (12) Monitor trends of drug misuse, diversion, and abuse and make
35 periodic reports to disciplinary boards of licensed health care
36 practitioners and education, treatment, and appropriate law
37 enforcement agencies regarding these trends;

38 (13) Enter into written agreements with all other state and
39 federal agencies with any responsibility for controlling drug misuse,
40 diversion, or abuse and with health maintenance organizations, health

1 care service contractors, and health care providers to assist and
2 promote coordination of agencies responsible for ensuring compliance
3 with controlled substances laws and to monitor observance of these
4 laws and cooperation between these agencies. The department of social
5 and health services, the department of labor and industries, and any
6 other state agency including licensure disciplinary boards, shall
7 refer all apparent instances of over-prescribing by practitioners and
8 all apparent instances of legend drug overuse to the department. The
9 department shall also encourage such referral by health maintenance
10 organizations, health service contractors, and health care providers.

11 **Sec. 16.** RCW 18.64.310 and 2013 c 19 s 21 are each amended to
12 read as follows:

13 The department shall:

14 (1) Establish reasonable license and examination fees and fees
15 for services to other agencies in accordance with RCW 43.70.250 and
16 43.70.280. In cases where there are unanticipated demands for
17 services, the department may request payment for services directly
18 from the agencies for whom the services are performed, to the extent
19 that revenues or other funds are available. Drug-related
20 investigations regarding licensed health care practitioners shall be
21 funded by an appropriation to the department from the health
22 professions account. The payment may be made on either an advance or
23 a reimbursable basis as approved by the director of financial
24 management;

25 (2) Employ, with confirmation by the commission, an executive
26 officer, who shall be exempt from the provisions of chapter 41.06 RCW
27 and who shall (~~be a pharmacist licensed in Washington, and~~) employ
28 inspectors, investigators, chemists, and other persons as necessary
29 to assist it for any purpose which it may deem necessary;

30 (3) Investigate and prosecute, at the direction of the
31 commission, including use of subpoena powers, violations of law or
32 regulations under its jurisdiction or the jurisdiction of the
33 commission;

34 (4) Make, at the direction of the commission, inspections and
35 investigations of pharmacies and other places, including dispensing
36 machines, in which drugs or devices are stored, held, compounded,
37 dispensed, sold, or administered to the ultimate consumer, to take
38 and analyze any drugs or devices and to seize and condemn any drugs
39 or devices which are adulterated, misbranded, stored, held,

1 dispensed, distributed, administered, or compounded in violation of
2 or contrary to law. The written operating agreement between the
3 department and the commission, as required by RCW 43.70.240 shall
4 include provisions for the department to involve the commission in
5 carrying out its duties required by this section.

6 NEW SECTION. **Sec. 17.** A new section is added to chapter 18.64
7 RCW to read as follows:

8 The commission may appoint members of panels of at least three
9 members. A quorum for transaction of any business by a panel is a
10 minimum of three members. A majority vote of a quorum of the panel is
11 required to transact business delegated to it by the commission
12 including, but not limited to, licensing, disciplinary, and
13 adjudicative actions.

14 NEW SECTION. **Sec. 18.** A new section is added to chapter 18.59
15 RCW to read as follows:

16 Each member of the board shall be compensated in accordance with
17 RCW 43.03.265. Members shall be reimbursed for travel expenses
18 incurred in the actual performance of their duties, as provided in
19 RCW 43.03.050 and 43.03.060. The board is designated as a class five
20 group for purposes of chapter 43.03 RCW.

21 **Sec. 19.** RCW 18.59.120 and 2011 c 336 s 492 are each amended to
22 read as follows:

23 (1) There is established a board of occupational therapy
24 practice. The board shall consist of five members appointed by the
25 governor, who may consider the persons who are recommended for
26 appointment by occupational therapy associations of the state. The
27 members of the board shall be residents of the state. Four of the
28 members shall have been engaged in rendering services to the public,
29 teaching, or research in occupational therapy for at least five years
30 immediately preceding their appointment. Three of these four board
31 members shall be occupational therapists who shall at all times be
32 holders of licenses for the practice of occupational therapy in the
33 state, (~~except for the initial members of the board,~~) all of whom
34 shall fulfill the requirements for licensure under this chapter. At
35 least one member of the board shall be an occupational therapy
36 assistant licensed to assist in the practice of occupational therapy,
37 except for the initial member appointed to this position, who shall

1 fulfill the requirements for licensure as a occupational therapy
2 assistant under this chapter. The remaining member of the board shall
3 be a member of the public with an interest in the rights of consumers
4 of health services.

5 (2) (~~The governor shall, within sixty days after June 7, 1984,~~
6 ~~appoint one member for a term of one year, two members for a term of~~
7 ~~two years, and two members for a term of three years.~~) Appointments
8 (~~made thereafter~~) shall be for three-year terms, but no person
9 shall be appointed to serve more than two consecutive full terms.
10 Terms shall begin on the first day of the calendar year and end on
11 the last day of the calendar year or until successors are appointed,
12 except for the initial appointed members, who shall serve through the
13 last calendar day of the year in which they are appointed before
14 commencing the terms prescribed by this section. The governor shall
15 make appointments for vacancies in unexpired terms within ninety days
16 after the vacancies occur.

17 (3) The board shall meet during the first month of each calendar
18 year to select a chair and for other purposes. At least one
19 additional meeting shall be held before the end of each calendar
20 year. Further meetings may be convened at the call of the chair or
21 the written request of any two board members. (~~A majority of members~~
22 ~~of the board constitutes a quorum for all purposes.~~) A majority of
23 the board members appointed and serving constitutes a quorum for the
24 transaction of board business. The affirmative vote of a majority of
25 a quorum of the board is required to carry a motion or resolution, to
26 adopt a rule, or to pass a measure. All meetings of the board shall
27 be open to the public, except that the board may hold closed sessions
28 to prepare, approve, grade, or administer examinations or, upon
29 request of an applicant who fails an examination, to prepare a
30 response indicating the reasons for the applicant's failure.

31 (~~(4) Members of the board shall receive compensation in the~~
32 ~~amount of fifty dollars for each day's attendance at proper meetings~~
33 ~~of the committee.~~)

34 **Sec. 20.** RCW 18.30.050 and 2002 c 160 s 4 are each amended to
35 read as follows:

36 (1) The Washington state board of denturists is created. The
37 board shall consist of seven members appointed by the secretary as
38 follows:

1 (a) Four members of the board must be denturists licensed under
2 this chapter, except initial appointees, who must have five years'
3 experience in the field of denturism or a related field.

4 (b) Two members shall be selected from persons who are not
5 affiliated with any health care profession or facility, at least one
6 of whom must be over sixty-five years of age representing the
7 elderly.

8 (c) One member must be a dentist licensed in the state of
9 Washington.

10 (2) The members of the board shall serve for terms of three
11 years. (~~The terms of the initial members shall be staggered, with~~
12 ~~the members appointed under subsection (1)(a) of this section serving~~
13 ~~two-year and three-year terms initially and the members appointed~~
14 ~~under subsection (1)(b) and (c) of this section serving one-year,~~
15 ~~two-year, and three-year terms initially. Vacancies shall be filled~~
16 ~~in the same manner as the original appointments are made.))
17 Appointments to fill vacancies shall be for the remainder of the
18 unexpired term of the vacant position.~~

19 (3) No appointee may serve more than two consecutive terms.

20 (4) Members of the board shall be reimbursed for travel expenses
21 under RCW 43.03.050 and 43.03.060. Each member of the board shall be
22 compensated in accordance with RCW 43.03.265. The board is designated
23 as a class five group for purposes of chapter 43.03 RCW.

24 (5) A member of the board may be removed for just cause by the
25 secretary.

26 **Sec. 21.** RCW 18.30.060 and 1995 c 1 s 7 are each amended to read
27 as follows:

28 (1) The board shall elect a chairperson of the board annually.
29 The same person may not hold the office of chairperson for more than
30 three years in succession.

31 (2) (~~A majority of the board constitutes a quorum for all~~
32 ~~purposes, and a majority vote of the members voting governs the~~
33 ~~decisions of the board.)) A majority of the board members appointed
34 and serving constitutes a quorum for the transaction of board
35 business. The affirmative vote of a majority of a quorum of the board
36 is required to carry a motion or resolution, to adopt a rule, or to
37 pass a measure.~~

1 **Sec. 22.** RCW 18.36A.150 and 2011 c 41 s 1 are each amended to
2 read as follows:

3 (1) There is created the board of naturopathy consisting of seven
4 members appointed by the governor to four-year terms. Five members of
5 the board shall be persons licensed under this chapter and two shall
6 be members of the public. No member may serve more than two
7 consecutive full terms. Members hold office until their successors
8 are appointed. (~~The governor may appoint the initial members of the~~
9 ~~board to staggered terms from one to four years. Thereafter, all~~)
10 All members shall be appointed to full four-year terms.

11 (2) The public members of the board may not be a member of any
12 other health care licensing board or commission, have a fiduciary
13 obligation to a facility rendering services regulated under this
14 chapter, or have a material or financial interest in the rendering of
15 services regulated under this chapter.

16 (3) The board shall elect officers each year. The board shall
17 meet at least twice each year and may hold additional meetings as
18 called by the chair. Meetings of the board are open to the public,
19 except that the board may hold executive sessions to the extent
20 permitted by chapter 42.30 RCW. The department shall provide
21 secretarial, clerical, and other assistance as required by the board.

22 (4) Each member of the board shall be compensated in accordance
23 with RCW (~~43.03.240~~) 43.03.265. Members shall be reimbursed for
24 travel expenses incurred in the actual performance of their duties,
25 as provided in RCW 43.03.050 and 43.03.060. The board is designated
26 as a class five group for purposes of chapter 43.03 RCW.

27 (5) A majority of the board members appointed and serving
28 constitutes a quorum for the transaction of board business. The
29 affirmative vote of a majority of a quorum of the board is required
30 to carry a motion or resolution, to adopt a rule, or to pass a
31 measure.

32 (6) The board may appoint members to panels of at least three
33 members. A quorum for transaction of any business by a panel is a
34 minimum of three members. A majority vote of a quorum of the panel is
35 required to transact business delegated to it by the board.

36 (7) The board may adopt such rules as are consistent with this
37 chapter as may be deemed necessary and proper to carry out the
38 purposes of this chapter.

39 (8) The governor may remove a member of the board for neglect of
40 duty, misconduct, or malfeasance or misfeasance in office. Whenever

1 the governor is satisfied that a member of the board has been guilty
2 of neglect of duty, misconduct, or malfeasance or misfeasance in
3 office, he or she shall file with the secretary of state a statement
4 of the cause for and the order of removal from office, and the
5 secretary shall immediately send a certified copy of the order of
6 removal and statement of causes by certified mail to the last known
7 post office address of the member. If a vacancy occurs on the board,
8 the governor shall appoint a replacement to fill the remainder of the
9 unexpired term.

10 **Sec. 23.** RCW 18.54.030 and 2011 c 336 s 489 are each amended to
11 read as follows:

12 The initial composition of the optometry board includes the three
13 members of the examining committee for optometry plus two more
14 optometrists to be appointed by the governor.

15 The governor must make all appointments to the optometry board.
16 Only optometrists who are (~~citizens of the United States,~~)
17 residents of this state, having been licensed to practice and
18 practicing optometry in this state for a period of at least four
19 years immediately preceding the effective date of appointment, and
20 who have no connection (~~with any school or college embracing the~~
21 ~~teaching of optometry or~~) with any optical supply business may be
22 appointed.

23 (~~The governor may set the terms of office of the initial board~~
24 ~~at his or her discretion, to establish the following perpetual~~
25 ~~succession: The terms of the initial board include one position for~~
26 ~~one year, two for two years, and two for three years; and upon the~~
27 ~~expiration of the terms of the initial board, all~~) All appointments
28 are for three years.

29 In addition to the members specified in this section, the
30 governor shall appoint a consumer member of the board, who shall
31 serve for a term of three years.

32 In the event that a vacancy occurs on the board in the middle of
33 an appointee's term, the governor must appoint a successor for the
34 unexpired portion of the term only.

35 **Sec. 24.** RCW 18.54.060 and 1963 c 25 s 6 are each amended to
36 read as follows:

37 (~~Three members constitute a quorum for the transaction of~~
38 ~~business of the board~~) A majority of the board members appointed and

1 serving constitutes a quorum for the transaction of board business.
2 The affirmative vote of a majority of a quorum of the board is
3 required to carry a motion or resolution, to adopt a rule, or to pass
4 a measure.

5 **Sec. 25.** RCW 18.54.130 and 1984 c 287 s 41 are each amended to
6 read as follows:

7 Members of the board are entitled to receive their travel
8 expenses in accordance with RCW 43.03.050 and 43.03.060. Each member
9 of the board will also be compensated in accordance with RCW
10 ((43.03.240)) 43.03.265. The board is designated as a class five
11 group for purposes of chapter 43.03 RCW.

12 **Sec. 26.** RCW 18.35.150 and 2014 c 189 s 12 are each amended to
13 read as follows:

14 (1) There is created hereby the board of hearing and speech to
15 govern the three separate professions: Hearing aid specialist,
16 audiology, and speech-language pathology. The board shall consist of
17 eleven members to be appointed by the governor.

18 (2) Members of the board shall be residents of this state. Three
19 members shall represent the public and shall have an interest in the
20 rights of consumers of health services, and shall not be or have been
21 a member of, or married to a member of, another licensing board, a
22 licensee of a health occupation board, an employee of a health
23 facility, nor derive his or her primary livelihood from the provision
24 of health services at any level of responsibility. Two members shall
25 be hearing aid specialists who are licensed under this chapter, have
26 at least five years of experience in the practice of hearing
27 instrument fitting and dispensing, and must be actively engaged in
28 fitting and dispensing within two years of appointment. Two members
29 of the board shall be audiologists licensed under this chapter who
30 have at least five years of experience in the practice of audiology
31 and must be actively engaged in practice within two years of
32 appointment. Two members of the board shall be speech-language
33 pathologists licensed under this chapter who have at least five years
34 of experience in the practice of speech-language pathology and must
35 be actively engaged in practice within two years of appointment. One
36 advisory nonvoting member shall be a speech-language pathology
37 assistant certified in Washington. One advisory nonvoting member
38 shall be a medical physician licensed in the state of Washington.

1 (3) The term of office of a member is three years. (~~Of the~~
2 ~~initial appointments, one hearing aid specialist, one speech-language~~
3 ~~pathologist, one audiologist, and one consumer shall be appointed for~~
4 ~~a term of two years, and one hearing aid specialist, one speech-~~
5 ~~language pathologist, one audiologist, and two consumers shall be~~
6 ~~appointed for a term of three years. Thereafter, all appointments~~
7 ~~shall be made for expired terms.)) No member shall be appointed to
8 serve more than two consecutive terms. A member shall continue to
9 serve until a successor has been appointed. The governor shall either
10 reappoint the member or appoint a successor to assume the member's
11 duties at the expiration of his or her predecessor's term. A vacancy
12 in the office of a member shall be filled by appointment for the
13 unexpired term.~~

14 (4) The chair shall rotate annually among the hearing aid
15 specialists, speech-language pathologists, audiologists, and public
16 members serving on the board. In the absence of the chair, the board
17 shall appoint an interim chair. In event of a tie vote, the issue
18 shall be brought to a second vote and the chair shall refrain from
19 voting.

20 (5) The board shall meet at least once each year, at a place, day
21 and hour determined by the board, unless otherwise directed by a
22 majority of board members. The board shall also meet at such other
23 times and places as are requested by the department or by three
24 members of the board. (~~A quorum is a majority of the board. A~~
25 ~~hearing aid specialist, speech-language pathologist, and audiologist~~
26 ~~must be represented.)) A majority of the board members appointed and
27 serving constitutes a quorum for the transaction of board business.
28 The affirmative vote of a majority of a quorum of the board is
29 required to carry a motion or resolution, to adopt a rule, or to pass
30 a measure. Meetings of the board shall be open and public, except the
31 board may hold executive sessions to the extent permitted by chapter
32 42.30 RCW.~~

33 (6) Members of the board shall be compensated in accordance with
34 RCW (~~43.03.240~~) 43.03.265 and shall be reimbursed for their travel
35 expenses in accordance with RCW 43.03.050 and 43.03.060. The board is
36 designated as a class five group for purposes of chapter 43.03 RCW.

37 (7) The governor may remove a member of the board for cause at
38 the recommendation of a majority of the board.

1 **Sec. 27.** RCW 18.57.003 and 2017 c 101 s 1 are each amended to
2 read as follows:

3 There is hereby created an agency of the state of Washington,
4 consisting of eleven individuals appointed by the governor to be
5 known as the Washington state board of osteopathic medicine and
6 surgery.

7 On expiration of the term of any member, the governor shall
8 appoint for a period of five years a qualified individual to take the
9 place of such member. Each member shall hold office until the
10 expiration of the term for which such member is appointed or until a
11 successor shall have been appointed and shall have qualified. Initial
12 appointments shall be made and vacancies in the membership of the
13 board shall be filled for the unexpired term by appointment by the
14 governor.

15 Each member of the board shall be (~~(a citizen of the United~~
16 ~~States and must be~~) an actual resident of this state. Two members
17 must be consumers who have neither a financial nor a fiduciary
18 relationship to a health care delivery system, one member must have
19 been in active practice as a licensed osteopathic physician assistant
20 in this state for at least five years immediately preceding
21 appointment, and every other member must have been in active practice
22 as a licensed osteopathic physician and surgeon in this state for at
23 least five years immediately preceding appointment.

24 The board shall elect a chairperson(~~(, a secretary,)~~) and a vice
25 chairperson from its members. Meetings of the board shall be held at
26 least four times a year and at such place as the board shall
27 determine and at such other times and places as the board deems
28 necessary.

29 (~~(An affirmative vote of a simple majority of the members present~~
30 ~~at a meeting or hearing shall be required for the board to take any~~
31 ~~official action. The board may not take any action without a quorum~~
32 ~~of the board members present. A simple majority of the board members~~
33 ~~currently serving constitutes a quorum of the board.)) A majority of
34 the board members appointed and serving constitutes a quorum for the
35 transaction of board business. The affirmative vote of a majority of
36 a quorum of the board is required to carry a motion or resolution, to
37 adopt a rule, or to pass a measure.~~

38 Each member of the board shall be compensated in accordance with
39 RCW 43.03.265 and shall be reimbursed for travel expenses in

1 accordance with RCW 43.03.050 and 43.03.060. The board is a class
2 five group for purposes of chapter 43.03 RCW.

3 Any member of the board may be removed by the governor for
4 neglect of duty, misconduct, malfeasance or misfeasance in office, or
5 upon written request of two-thirds of the physicians licensed under
6 this chapter and in active practice in this state.

7 **Sec. 28.** RCW 18.57.003 and 2020 c 80 s 14 are each amended to
8 read as follows:

9 There is hereby created an agency of the state of Washington,
10 consisting of eleven individuals appointed by the governor to be
11 known as the Washington state board of osteopathic medicine and
12 surgery.

13 On expiration of the term of any member, the governor shall
14 appoint for a period of five years a qualified individual to take the
15 place of such member. Each member shall hold office until the
16 expiration of the term for which such member is appointed or until a
17 successor shall have been appointed and shall have qualified. Initial
18 appointments shall be made and vacancies in the membership of the
19 board shall be filled for the unexpired term by appointment by the
20 governor.

21 Each member of the board shall be (~~(a citizen of the United~~
22 ~~States and must be)~~) an actual resident of this state. Two members
23 must be consumers who have neither a financial nor a fiduciary
24 relationship to a health care delivery system, and every other member
25 must have been in active practice as a licensed osteopathic physician
26 and surgeon in this state for at least five years immediately
27 preceding appointment.

28 The board shall elect a chairperson(~~(, a secretary,)~~) and a vice
29 chairperson from its members. Meetings of the board shall be held at
30 least four times a year and at such place as the board shall
31 determine and at such other times and places as the board deems
32 necessary.

33 (~~(An affirmative vote of a simple majority of the members present~~
34 ~~at a meeting or hearing shall be required for the board to take any~~
35 ~~official action. The board may not take any action without a quorum~~
36 ~~of the board members present. A simple majority of the board members~~
37 ~~currently serving constitutes a quorum of the board.)) A majority of
38 the board members appointed and serving constitutes a quorum for the
39 transaction of board business. The affirmative vote of a majority of~~

1 a quorum of the board is required to carry a motion or resolution, to
2 adopt a rule, or to pass a measure.

3 Each member of the board shall be compensated in accordance with
4 RCW 43.03.265 and shall be reimbursed for travel expenses in
5 accordance with RCW 43.03.050 and 43.03.060. The board is a class
6 five group for purposes of chapter 43.03 RCW.

7 Any member of the board may be removed by the governor for
8 neglect of duty, misconduct, malfeasance or misfeasance in office, or
9 upon written request of two-thirds of the physicians licensed under
10 this chapter and in active practice in this state.

11 **Sec. 29.** RCW 18.22.014 and 2020 c 248 s 2 are each amended to
12 read as follows:

13 The board shall meet at the places and times it determines and as
14 often as necessary to discharge its duties. The board shall elect a
15 chairperson(~~(7)~~) and a vice chairperson(~~(7 and secretary)~~) from among
16 its members. Members must be compensated in accordance with RCW
17 43.03.265 in addition to travel expenses provided by RCW 43.03.050
18 and 43.03.060. The board is a class five group for purposes of
19 chapter 43.03 RCW. (~~(A simple majority of the board members currently~~
20 ~~servng constitutes a quorum of the board.)~~) A majority of the board
21 members appointed and serving constitutes a quorum for the
22 transaction of board business. The affirmative vote of a majority of
23 a quorum of the board is required to carry a motion or resolution, to
24 adopt a rule, or to pass a measure.

25 **Sec. 30.** RCW 18.200.060 and 1997 c 285 s 7 are each amended to
26 read as follows:

27 (1) The secretary has the authority to appoint an advisory
28 committee to further the purposes of this chapter. The secretary may
29 consider the persons who are recommended for appointment by the
30 orthotic and prosthetic associations of the state. The committee is
31 composed of five members, one member initially appointed for a term
32 of one year, two for a term of two years, and two for a term of three
33 years. Subsequent appointments are for terms of three years. No
34 person may serve as a member of the committee for more than two
35 consecutive terms. Members of the advisory committee must be
36 residents of this state (~~(and citizens of the United States)~~). The
37 committee is composed of three individuals licensed in the category
38 designated and engaged in rendering services to the public. Two

1 members must at all times be holders of licenses for the practice of
2 either prosthetics or orthotics, or both, in this state, except for
3 the initial members of the advisory committee, all of whom must
4 fulfill the requirements for licensure under this chapter. One member
5 must be a practicing orthotist. One member must be a practicing
6 prosthetist. One member must be licensed by the state as a physician
7 licensed under chapter 18.57 or 18.71 RCW, specializing in orthopedic
8 medicine or surgery or physiatry. Two members must represent the
9 public at large and be unaffiliated directly or indirectly with the
10 profession being credentialed but, to the extent possible, be
11 consumers of orthotic and prosthetic services. The two members
12 appointed to the advisory committee representing the public at large
13 must have an interest in the rights of consumers of health services
14 and must not be or have been a licensee of a health occupation
15 committee or an employee of a health facility, nor derive his or her
16 primary livelihood from the provision of health services at any level
17 of responsibility.

18 (2) The secretary may remove any member of the advisory committee
19 for cause as specified by rule. In the case of a vacancy, the
20 secretary shall appoint a person to serve for the remainder of the
21 unexpired term.

22 (3) The advisory committee may provide advice on matters
23 specifically identified and requested by the secretary, such as
24 applications for licenses.

25 (4) The advisory committee may be requested by the secretary to
26 approve an examination required for licensure under this chapter.

27 (5) The advisory committee may be requested by the secretary to
28 review and monitor the exemptions to requirements of certain orthoses
29 and prostheses in this chapter and recommend to the secretary any
30 statutory changes that may be needed to properly protect the public.

31 (6) The advisory committee, at the request of the secretary, may
32 recommend rules in accordance with the administrative procedure act,
33 chapter 34.05 RCW, relating to standards for appropriateness of
34 orthotic and prosthetic care.

35 (7) The advisory committee shall meet at the times and places
36 designated by the secretary and hold meetings during the year as
37 necessary to provide advice to the secretary. The committee may elect
38 a chair and a vice chair. A majority of the members currently serving
39 constitute a quorum.

1 (8) Each member of an advisory committee shall be reimbursed for
2 travel expenses as authorized in RCW 43.03.050 and 43.03.060. In
3 addition, members of the committees shall be compensated in
4 accordance with RCW 43.03.240 when engaged in the authorized business
5 of their committees.

6 (9) The secretary, members of advisory committees, or individuals
7 acting on their behalf are immune from suit in any action, civil or
8 criminal, based on any credentialing or disciplinary proceedings or
9 other official acts performed in the course of their duties.

10 **Sec. 31.** RCW 18.25.0165 and 1994 sp.s. c 9 s 106 are each
11 amended to read as follows:

12 Members must be (~~citizens of the United States and~~) residents
13 of this state. Members must be licensed chiropractors for a period of
14 five years before appointment. Public members of the commission may
15 not be a member of any other health care licensing board or
16 commission, or have a fiduciary obligation to a facility rendering
17 health services regulated by the commission, or have a material or
18 financial interest in the rendering of health services regulated by
19 the commission.

20 **Sec. 32.** RCW 18.79.070 and 2005 c 17 s 1 are each amended to
21 read as follows:

22 (1) The state nursing care quality assurance commission is
23 established, consisting of fifteen members to be appointed by the
24 governor to four-year terms. The governor shall consider nursing
25 members who are recommended for appointment by the appropriate
26 professional associations in the state. No person may serve as a
27 member of the commission for more than two consecutive full terms.

28 (2) There must be seven registered nurse members, two advanced
29 registered nurse practitioner members, three licensed practical nurse
30 members, and three public members on the commission. Each member of
31 the commission must be a (~~citizen of the United States and a~~)
32 resident of this state.

33 (3) (a) Registered nurse members of the commission must:

34 (i) Be licensed as registered nurses under this chapter; and

35 (ii) Have had at least three years' experience in the active
36 practice of nursing and have been engaged in that practice within two
37 years of appointment.

38 (b) In addition:

1 (i) At least one member must be on the faculty at a four-year
2 university nursing program;

3 (ii) At least one member must be on the faculty at a two-year
4 community college nursing program;

5 (iii) At least two members must be staff nurses providing direct
6 patient care; and

7 (iv) At least one member must be a nurse manager or a nurse
8 executive.

9 (4) Advanced registered nurse practitioner members of the
10 commission must:

11 (a) Be licensed as advanced registered nurse practitioners under
12 this chapter; and

13 (b) Have had at least three years' experience in the active
14 practice of advanced registered nursing and have been engaged in that
15 practice within two years of appointment.

16 (5) Licensed practical nurse members of the commission must:

17 (a) Be licensed as licensed practical nurses under this chapter;
18 and

19 (b) Have had at least three years' actual experience as a
20 licensed practical nurse and have been engaged in practice as a
21 practical nurse within two years of appointment.

22 (6) Public members of the commission may not be a member of any
23 other health care licensing board or commission, or have a fiduciary
24 obligation to a facility rendering health services regulated by the
25 commission, or have a material or financial interest in the rendering
26 of health services regulated by the commission.

27 In appointing the initial members of the commission, it is the
28 intent of the legislature that, to the extent possible, the governor
29 appoint the existing members of the board of nursing and the board of
30 practical nursing repealed under chapter 9, Laws of 1994 sp. sess.
31 The governor may appoint initial members of the commission to
32 staggered terms of from one to four years. Thereafter, all members
33 shall be appointed to full four-year terms. Members of the commission
34 hold office until their successors are appointed.

35 When the secretary appoints pro tem members, reasonable efforts
36 shall be made to ensure that at least one pro tem member is a
37 registered nurse who is currently practicing and, in addition to
38 meeting other minimum qualifications, has graduated from an associate
39 or baccalaureate nursing program within three years of appointment.

1 **Sec. 33.** RCW 18.79.140 and 1994 sp.s. c 9 s 414 are each amended
2 to read as follows:

3 The executive director must be a graduate of ~~((an approved~~
4 ~~nursing education program and of))~~ a college or university, with a
5 masters' degree ~~((, and currently licensed as a registered nurse under~~
6 ~~this chapter; have a minimum of eight years' experience in nursing in~~
7 ~~any combination of administration and nursing education; and have~~
8 ~~been actively engaged in the practice of registered nursing or~~
9 ~~nursing education within two years immediately before the time of~~
10 ~~appointment))~~).

11 **Sec. 34.** RCW 18.71.015 and 2019 c 55 s 4 are each amended to
12 read as follows:

13 The Washington medical commission is established, consisting of
14 thirteen individuals licensed to practice medicine in the state of
15 Washington under this chapter, two individuals who are licensed in
16 the state of Washington as physician assistants under chapter 18.71A
17 RCW, and six individuals who are members of the public. At least two
18 of the public members shall not be from the health care industry.
19 Each congressional district now existing or hereafter created in the
20 state must be represented by at least one physician member of the
21 commission. The terms of office of members of the commission are not
22 affected by changes in congressional district boundaries. Public
23 members of the commission may not be a member of any other health
24 care licensing board or commission, or have a fiduciary obligation to
25 a facility rendering health services regulated by the commission, or
26 have a material or financial interest in the rendering of health
27 services regulated by the commission.

28 The members of the commission shall be appointed by the
29 governor ~~((Members of the initial commission may be appointed to~~
30 ~~staggered terms of one to four years))~~, and ~~((thereafter))~~ all terms
31 of appointment shall be for four years. The governor shall consider
32 such physician and physician assistant members who are recommended
33 for appointment by the appropriate professional associations in the
34 state. ~~((In appointing the initial members of the commission, it is~~
35 ~~the intent of the legislature that, to the extent possible, the~~
36 ~~existing members of the board of medical examiners and medical~~
37 ~~disciplinary board repealed under section 336, chapter 9, Laws of~~
38 ~~1994 sp. sess. be appointed to the commission.))~~ No member may serve

1 more than two consecutive full terms. Each member shall hold office
2 until a successor is appointed.

3 Each member of the commission must be (~~a citizen of the United~~
4 ~~States, must be~~) an actual resident of this state, and, if a
5 physician or physician assistant, must have been licensed to practice
6 medicine in this state for at least five years.

7 The commission shall meet as soon as practicable after
8 appointment and elect officers each year. Meetings shall be held at
9 least four times a year and at such place as the commission
10 determines and at such other times and places as the commission deems
11 necessary. A majority of the commission members appointed and serving
12 constitutes a quorum for the transaction of commission business.

13 The affirmative vote of a majority of a quorum of the commission
14 is required to carry any motion or resolution, to adopt any rule, or
15 to pass any measure. The commission may appoint panels consisting of
16 at least three members. A quorum for the transaction of any business
17 by a panel is a minimum of three members. A majority vote of a quorum
18 of the panel is required to transact business delegated to it by the
19 commission.

20 Each member of the commission shall be compensated in accordance
21 with RCW 43.03.265 and in addition thereto shall be reimbursed for
22 travel expenses incurred in carrying out the duties of the commission
23 in accordance with RCW 43.03.050 and 43.03.060. Any such expenses
24 shall be paid from funds appropriated to the department of health.

25 Whenever the governor is satisfied that a member of a commission
26 has been guilty of neglect of duty, misconduct, or malfeasance or
27 misfeasance in office, the governor shall file with the secretary of
28 state a statement of the causes for and the order of removal from
29 office, and the secretary shall forthwith send a certified copy of
30 the statement of causes and order of removal to the last known post
31 office address of the member.

32 Vacancies in the membership of the commission shall be filled for
33 the unexpired term by appointment by the governor.

34 The members of the commission are immune from suit in an action,
35 civil or criminal, based on its disciplinary proceedings or other
36 official acts performed in good faith as members of the commission.

37 Whenever the workload of the commission requires, the commission
38 may request that the secretary appoint pro tempore members of the
39 commission. When serving, pro tempore members of the commission have
40 all of the powers, duties, and immunities, and are entitled to all of

1 the emoluments, including travel expenses, of regularly appointed
2 members of the commission.

3 NEW SECTION. **Sec. 35.** Section 27 of this act expires July 1,
4 2022.

5 NEW SECTION. **Sec. 36.** Section 28 of this act takes effect July
6 1, 2022.

Passed by the Senate March 7, 2022.

Passed by the House March 1, 2022.

Approved by the Governor March 30, 2022.

Filed in Office of Secretary of State March 31, 2022.

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