S-3515.3

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**SENATE BILL 5822**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Muzzall, Cleveland, and Rivers

AN ACT Relating to increasing the licensure fees that support the Washington physicians health program; amending RCW 18.71.310, 18.71A.020, 18.57.015, 18.22.250, 18.32.534, and 18.92.047; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec.**  The legislature finds that for over 30 years the Washington physicians health program has been the approved therapeutic alternative to discipline for Washington physicians, physician assistants, dentists, osteopathic physicians, podiatric physicians, and veterinarians with impairing or potentially impairing health conditions. To best support health care professionals and remain a model physician health program nationally, the license surcharge fees that provide the majority of program funding must be periodically increased to sustain and enhance services for impairing or potentially impairing health conditions and hiring qualified staff to handle the increased caseload complexity. More than ever, the legislature finds it is critical to maintain our current physician workforce and authorizing this fee increase, which is supported and paid for by the health care professionals that the program benefits, will provide the resources necessary for the program to continue essential services to the health care workforce.

**Sec.**  RCW 18.71.310 and 2022 c 43 s 5 are each amended to read as follows:

(1) The commission shall enter into a contract with the entity to implement a physician health program. The commission may enter into a contract with the entity for up to six years in length. The physician health program may include any or all of the following:

(a) Entering into relationships supportive of the physician health program with professionals who provide either evaluation or treatment services, or both;

(b) Receiving and assessing reports of suspected impairment from any source;

(c) Intervening in cases of verified impairment, or in cases where there is reasonable cause to suspect impairment;

(d) Upon reasonable cause, referring suspected or verified impaired physicians for evaluation or treatment;

(e) Monitoring the treatment and rehabilitation of participants including those ordered by the commission;

(f) Providing monitoring and care management support of program participants;

(g) Performing such other activities as agreed upon by the commission and the entity; and

(h) Providing prevention and education services.

(2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of ((~~fifty dollars~~)) $70 per year or equivalent on each license renewal or issuance of a new license to be collected by the department of health from every physician, surgeon, and physician assistant licensed under this chapter in addition to other license fees. These moneys shall be placed in the impaired physician account to be used solely to support the physician health program.

(3) All funds in the impaired physician account shall be paid to the contract entity within sixty days of deposit.

**Sec.**  RCW 18.71A.020 and 2020 c 80 s 3 are each amended to read as follows:

(1) The commission shall adopt rules fixing the qualifications and the educational and training requirements for licensure as a physician assistant or for those enrolled in any physician assistant training program. The requirements shall include completion of an accredited physician assistant training program approved by the commission and within one year successfully take and pass an examination approved by the commission, if the examination tests subjects substantially equivalent to the curriculum of an accredited physician assistant training program. An interim permit may be granted by the department of health for one year provided the applicant meets all other requirements. Physician assistants licensed by the board of medical examiners, or the commission as of July 1, 1999, shall continue to be licensed.

(2)(a) The commission shall adopt rules governing the extent to which:

(i) Physician assistant students may practice medicine during training; and

(ii) Physician assistants may practice after successful completion of a physician assistant training course.

(b) Such rules shall provide:

(i) That the practice of a physician assistant shall be limited to the performance of those services for which he or she is trained; and

(ii) That each physician assistant shall practice medicine only under the terms of one or more practice agreements, each signed by one or more supervising physicians licensed in this state. A practice agreement may be signed electronically using a method for electronic signatures approved by the commission. Supervision shall not be construed to necessarily require the personal presence of the supervising physician or physicians at the place where services are rendered.

(3) Applicants for licensure shall file an application with the commission on a form prepared by the secretary with the approval of the commission, detailing the education, training, and experience of the physician assistant and such other information as the commission may require. The application shall be accompanied by a fee determined by the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge of ((~~fifty dollars~~)) $70 per year shall be charged on each license renewal or issuance of a new license to be collected by the department and deposited into the impaired physician account for physician assistant participation in the impaired physician program. Each applicant shall furnish proof satisfactory to the commission of the following:

(a) That the applicant has completed an accredited physician assistant program approved by the commission and is eligible to take the examination approved by the commission;

(b) That the applicant is of good moral character; and

(c) That the applicant is physically and mentally capable of practicing medicine as a physician assistant with reasonable skill and safety. The commission may require an applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical or mental capability, or both, to safely practice as a physician assistant.

(4)(a) The commission may approve, deny, or take other disciplinary action upon the application for license as provided in the Uniform Disciplinary Act, chapter 18.130 RCW.

(b) The license shall be renewed as determined under RCW 43.70.250 and 43.70.280. The commission shall request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, or other relevant data determined by the commission.

(5) All funds in the impaired physician account shall be paid to the contract entity within sixty days of deposit.

**Sec.**  RCW 18.57.015 and 2022 c 43 s 3 are each amended to read as follows:

(1) To implement an osteopathic physician health program as authorized by RCW 18.130.175, the board shall enter into a contract with a physician health program or a voluntary substance use disorder monitoring program. The osteopathic physician health program may include any or all of the following:

(a) Contracting with providers of treatment programs;

(b) Receiving and evaluating reports of suspected impairment from any source;

(c) Intervening in cases of verified impairment;

(d) Referring impaired osteopathic physicians to treatment programs;

(e) Monitoring the treatment and rehabilitation of impaired osteopathic physicians including those ordered by the board;

(f) Providing education, prevention of impairment, posttreatment monitoring, and support of rehabilitated impaired osteopathic physicians; and

(g) Performing other related activities as determined by the board.

(2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of ((~~fifty dollars~~)) $70 per year or equivalent on each license issuance or renewal to be collected by the department from every osteopathic physician licensed under this chapter. These moneys shall be placed in the health professions account to be used solely for the implementation of the osteopathic physician health program.

**Sec.**  RCW 18.22.250 and 2022 c 43 s 1 are each amended to read as follows:

(1) To implement a podiatric physician health program as authorized by RCW 18.130.175, the board shall enter into a contract with a physician health program or a voluntary substance use disorder monitoring program. The podiatric physician health program may include any or all of the following:

(a) Contracting with providers of treatment programs;

(b) Receiving and evaluating reports of suspected impairment from any source;

(c) Intervening in cases of verified impairment;

(d) Referring impaired podiatric physicians to treatment programs;

(e) Monitoring the treatment and rehabilitation of impaired podiatric physicians including those ordered by the board;

(f) Providing education, prevention of impairment, posttreatment monitoring, and support of rehabilitated impaired podiatric physicians; and

(g) Performing other related activities as determined by the board.

(2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of ((~~fifty dollars~~)) $70 per year or equivalent on each license issuance or renewal to be collected by the department from every podiatric physician licensed under this chapter. These moneys must be placed in the health professions account to be used solely for implementation of the podiatric physician health program.

**Sec.**  RCW 18.32.534 and 2022 c 43 s 2 are each amended to read as follows:

(1) To implement a dentist health program as authorized by RCW 18.130.175, the commission shall enter into a contract with a physician health program or a voluntary substance use disorder monitoring program. The dentist health program may include any or all of the following:

(a) Contracting with providers of treatment programs;

(b) Receiving and evaluating reports of suspected impairment from any source;

(c) Intervening in cases of verified impairment;

(d) Referring impaired dentists to treatment programs;

(e) Monitoring the treatment and rehabilitation of impaired dentists including those ordered by the commission;

(f) Providing education, prevention of impairment, posttreatment monitoring, and support of rehabilitated impaired dentists; and

(g) Performing other related activities as determined by the commission.

(2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of up to ((~~fifty dollars~~)) $70 per year or equivalent on each license issuance or renewal to be collected by the department of health from every dentist licensed under this chapter. These moneys shall be placed in the health professions account to be used solely for the implementation of the dentist health program.

**Sec.**  RCW 18.92.047 and 2022 c 43 s 8 are each amended to read as follows:

(1) To implement a veterinarian health program as authorized by RCW 18.130.175, the veterinary board of governors shall enter into a contract with a physician health program or a voluntary substance use disorder monitoring program. The veterinarian health program may include any or all of the following:

(a) Contracting with providers of treatment programs;

(b) Receiving and evaluating reports of suspected impairment from any source;

(c) Intervening in cases of verified impairment;

(d) Referring impaired veterinarians to treatment programs;

(e) Monitoring the treatment and rehabilitation of impaired veterinarians including those ordered by the board;

(f) Providing education, prevention of impairment, posttreatment monitoring, and support of rehabilitated impaired veterinarians; and

(g) Performing other related activities as determined by the board.

(2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of ((~~twenty-five dollars~~)) $35 per year or equivalent on each license issuance or renewal of a new license to be collected by the department of health from every veterinarian licensed under this chapter. These moneys shall be placed in the health professions account to be used solely for the implementation of the veterinarian health program.

NEW SECTION. **Sec.**  Section 6 of this act takes effect January 1, 2026.

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