

**SB 5184** - H COMM AMD

By Committee on Health Care & Wellness

**ADOPTED AS AMENDED 02/29/2024**

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

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires  
5 otherwise.

6 (1) "Anesthesiologist" means an actively practicing, board-  
7 eligible physician licensed under chapter 18.71 or 18.57 RCW who has  
8 completed a residency in anesthesiology approved by the American  
9 board of anesthesiology or the American osteopathic board of  
10 anesthesiology.

11 (2) "Anesthesiologist assistant" means a person who is licensed  
12 by the commission to assist in developing and implementing anesthesia  
13 care plans for patients under the supervision of an anesthesiologist  
14 or group of anesthesiologists approved by the commission to supervise  
15 such assistant.

16 (3) "Assists" means the anesthesiologist assistant personally  
17 performs those duties and responsibilities delegated by the  
18 anesthesiologist. Delegated services must be consistent with the  
19 delegating anesthesiologist's education, training, experience, and  
20 active practice. Delegated services must be of the type that a  
21 reasonable and prudent anesthesiologist would find within the scope  
22 of sound medical judgment to delegate.

23 (4) "Commission" means the Washington medical commission.

24 (5) "Practice medicine" has the meaning defined in RCW 18.71.011.

25 (6) "Secretary" means the secretary of health or the secretary's  
26 designee.

27 (7) "Supervision" means the immediate availability of the  
28 medically directing anesthesiologist for consultation and direction  
29 of the activities of the anesthesiologist assistant. A medically  
30 directing anesthesiologist is immediately available if they are in  
31 physical proximity that allows the anesthesiologist to reestablish

1 direct contact with the patient to meet medical needs and any urgent  
2 or emergent clinical problems, and personally participating in the  
3 most demanding procedures of the anesthesia plan including, if  
4 applicable, induction and emergence. These responsibilities may also  
5 be met through coordination among anesthesiologists of the same group  
6 or department.

7 NEW SECTION. **Sec. 2.** (1) The commission shall adopt rules  
8 fixing the qualifications and the educational and training  
9 requirements for licensure as an anesthesiologist assistant. The  
10 requirements shall include completion of an anesthesiologist  
11 assistant program accredited by the commission on accreditation of  
12 allied health education programs, or successor organization, and  
13 within one year successfully taking and passing an examination  
14 administered by the national commission for the certification of  
15 anesthesiologist assistants or other examination approved by the  
16 commission.

17 (2) Applicants for licensure shall file an application with the  
18 commission on a form prepared by the secretary with the approval of  
19 the commission, detailing the education, training, and experience of  
20 the applicant and such other information as the commission may  
21 require. The application shall be accompanied by a fee determined by  
22 the secretary as provided in RCW 43.70.250 and 43.70.280. Each  
23 applicant shall furnish proof satisfactory to the commission of the  
24 following:

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

28 (b) That the applicant is physically and mentally capable of  
29 practicing as an anesthesiologist assistant with reasonable skill and  
30 safety. The commission may require an applicant to submit to such  
31 examination or examinations as it deems necessary to determine an  
32 applicant's physical or mental capability, or both, to safely  
33 practice as an anesthesiologist assistant.

34 (3) (a) The commission may approve, deny, or take other  
35 disciplinary action upon the application for a license as provided in  
36 the uniform disciplinary act, chapter 18.130 RCW.

37 (b) The license shall be renewed as determined under RCW  
38 43.70.250 and 43.70.280. The commission shall request licensees to  
39 submit information about their current professional practice at the

1 time of license renewal and licensees must provide the information  
2 requested.

3 (4) No person shall practice as an anesthesiologist assistant or  
4 represent that they are a "certified anesthesiologist assistant" or  
5 "anesthesiologist assistant" or "C.A.A." or "A.A." without a license  
6 granted by the commission.

7 NEW SECTION. **Sec. 3.** (1) The commission shall adopt rules  
8 establishing the requirements and limitations on the practice by and  
9 supervision of anesthesiologist assistants, including the number of  
10 anesthesiologist assistants an anesthesiologist may supervise  
11 concurrently. Unless approved by the commission, an anesthesiologist  
12 may not concurrently supervise more than four specific, individual  
13 anesthesiologist assistants at any one time.

14 (2) The commission may adopt rules for the arrangement of other  
15 anesthesiologists to serve as backup or on-call supervising  
16 anesthesiologists for multiple anesthesiologist assistants.

17 NEW SECTION. **Sec. 4.** (1) An anesthesiologist assistant may not  
18 exceed the scope of their supervising anesthesiologist's practice and  
19 may assist with those duties and responsibilities delegated to them  
20 by the supervising anesthesiologist, and for which they are competent  
21 to assist with based on their education, training, and experience.  
22 Duties which an anesthesiologist may delegate to an anesthesiologist  
23 assistant include but are not limited to:

24 (a) Assisting with preoperative anesthetic evaluations,  
25 postoperative anesthetic evaluations, and patient progress notes, all  
26 to be cosigned by the supervising anesthesiologist within 24 hours;

27 (b) Administering and assisting with preoperative consultations;

28 (c) Under the supervising anesthesiologist's consultation and  
29 direction, order perioperative pharmaceutical agents, medications,  
30 and fluids, to be used only at the facility where ordered, including  
31 but not limited to controlled substances, which may be administered  
32 prior to the cosignature of the supervising anesthesiologist. The  
33 supervising anesthesiologist may review and if required by the  
34 facility or institutional policy must cosign these orders in a timely  
35 manner;

36 (d) Changing or discontinuing a medical treatment plan, after  
37 consultation with the supervising anesthesiologist;

- 1 (e) Calibrating anesthesia delivery systems and obtaining and  
2 interpreting information from the systems and monitors, in  
3 consultation with an anesthesiologist;
- 4 (f) Assisting the supervising anesthesiologist with the  
5 implementation of medically accepted monitoring techniques;
- 6 (g) Assisting with basic and advanced airway interventions,  
7 including but not limited to endotracheal intubation, laryngeal mask  
8 insertion, and other advanced airways techniques;
- 9 (h) Establishing peripheral intravenous lines, including  
10 subcutaneous lidocaine use;
- 11 (i) Establishing radial and dorsalis pedis arterial lines;
- 12 (j) Assisting with general anesthesia, including induction,  
13 maintenance, and emergence;
- 14 (k) Assisting with procedures associated with general anesthesia,  
15 such as but not limited to gastric intubation;
- 16 (l) Administering intermittent vasoactive drugs and starting and  
17 titrating vasoactive infusions for the treatment of patient responses  
18 to anesthesia;
- 19 (m) Assisting with spinal and intravenous regional anesthesia;
- 20 (n) Maintaining and managing established neuraxial epidurals and  
21 regional anesthesia;
- 22 (o) Assisting with monitored anesthesia care;
- 23 (p) Evaluating and managing patient controlled analgesia,  
24 epidural catheters, and peripheral nerve catheters;
- 25 (q) Obtaining venous and arterial blood samples;
- 26 (r) Assisting with, ordering, and interpreting appropriate  
27 preoperative, point of care, intraoperative, or postoperative  
28 diagnostic tests or procedures as authorized by the supervising  
29 anesthesiologist;
- 30 (s) Obtaining and administering perioperative anesthesia and  
31 related pharmaceutical agents including intravenous fluids and blood  
32 products;
- 33 (t) Participating in management of the patient while in the  
34 preoperative suite and recovery area;
- 35 (u) Providing assistance to a cardiopulmonary resuscitation team  
36 in response to a life-threatening situation;
- 37 (v) Participating in administrative, research, and clinical  
38 teaching activities as authorized by the supervising  
39 anesthesiologist; and

1 (w) Assisting with such other tasks not prohibited by law under  
2 the supervision of a licensed anesthesiologist that an  
3 anesthesiologist assistant has been trained and is proficient to  
4 assist with.

5 (2) Nothing in this section shall be construed to prevent an  
6 anesthesiologist assistant from having access to and being able to  
7 obtain drugs as directed by the supervising anesthesiologist. An  
8 anesthesiologist assistant may not prescribe, order, compound, or  
9 dispense drugs, medications, or devices of any kind.

10 NEW SECTION. **Sec. 5.** No anesthesiologist who supervises a  
11 licensed anesthesiologist assistant in accordance with and within the  
12 terms of any permission granted by the commission is considered as  
13 aiding and abetting an unlicensed person to practice medicine. The  
14 supervising anesthesiologist and anesthesiologist assistant shall  
15 retain professional and personal responsibility for any act which  
16 constitutes the practice of medicine as defined in RCW 18.71.011 when  
17 performed by the anesthesiologist assistant.

18 NEW SECTION. **Sec. 6.** An anesthesiologist assistant may sign and  
19 attest to any certificates, cards, forms, or other required  
20 documentation that the anesthesiologist assistant's supervising  
21 anesthesiologist may sign, provided that it is within the  
22 anesthesiologist assistant's scope of practice.

23 NEW SECTION. **Sec. 7.** (1) The uniform disciplinary act, chapter  
24 18.130 RCW, governs the issuance and denial of licenses and the  
25 discipline of licensees under this chapter.

26 (2) The commission shall consult with the board of osteopathic  
27 medicine and surgery when investigating allegations of unprofessional  
28 conduct against a licensee who has a supervising anesthesiologist  
29 license under chapter 18.57 RCW.

30 **Sec. 8.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15,  
31 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s  
32 21 are each reenacted and amended to read as follows:

33 (1) This chapter applies only to the secretary and the boards and  
34 commissions having jurisdiction in relation to the professions  
35 licensed under the chapters specified in this section. This chapter

1 does not apply to any business or profession not licensed under the  
2 chapters specified in this section.

3 (2) (a) The secretary has authority under this chapter in relation  
4 to the following professions:

5 (i) Dispensing opticians licensed and designated apprentices  
6 under chapter 18.34 RCW;

7 (ii) Midwives licensed under chapter 18.50 RCW;

8 (iii) Ocularists licensed under chapter 18.55 RCW;

9 (iv) Massage therapists and businesses licensed under chapter  
10 18.108 RCW;

11 (v) Dental hygienists licensed under chapter 18.29 RCW;

12 (vi) Acupuncturists or acupuncture and Eastern medicine  
13 practitioners licensed under chapter 18.06 RCW;

14 (vii) Radiologic technologists certified and X-ray technicians  
15 registered under chapter 18.84 RCW;

16 (viii) Respiratory care practitioners licensed under chapter  
17 18.89 RCW;

18 (ix) Hypnotherapists registered, agency affiliated counselors  
19 registered, certified, or licensed, and advisors and counselors  
20 certified under chapter 18.19 RCW;

21 (x) Persons licensed as mental health counselors, mental health  
22 counselor associates, marriage and family therapists, marriage and  
23 family therapist associates, social workers, social work associates—  
24 advanced, and social work associates—independent clinical under  
25 chapter 18.225 RCW;

26 (xi) Persons registered as nursing pool operators under chapter  
27 18.52C RCW;

28 (xii) Nursing assistants registered or certified or medication  
29 assistants endorsed under chapter 18.88A RCW;

30 (xiii) Dietitians and nutritionists certified under chapter  
31 18.138 RCW;

32 (xiv) Substance use disorder professionals, substance use  
33 disorder professional trainees, or co-occurring disorder specialists  
34 certified under chapter 18.205 RCW;

35 (xv) Sex offender treatment providers and certified affiliate sex  
36 offender treatment providers certified under chapter 18.155 RCW;

37 (xvi) Persons licensed and certified under chapter 18.73 RCW or  
38 RCW 18.71.205;

39 (xvii) Orthotists and prosthetists licensed under chapter 18.200  
40 RCW;

1 (xviii) Surgical technologists registered under chapter 18.215  
2 RCW;

3 (xix) Recreational therapists under chapter 18.230 RCW;

4 (xx) Animal massage therapists certified under chapter 18.240  
5 RCW;

6 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

7 (xxii) Home care aides certified under chapter 18.88B RCW;

8 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

9 (xxiv) Reflexologists certified under chapter 18.108 RCW;

10 (xxv) Medical assistants-certified, medical assistants-  
11 hemodialysis technician, medical assistants-phlebotomist, forensic  
12 phlebotomist, and medical assistants-registered certified and  
13 registered under chapter 18.360 RCW;

14 (xxvi) Behavior analysts, assistant behavior analysts, and  
15 behavior technicians under chapter 18.380 RCW;

16 (xxvii) Birth doulas certified under chapter 18.47 RCW;

17 (xxviii) Music therapists licensed under chapter 18.233 RCW;

18 (xxix) Behavioral health support specialists certified under  
19 chapter 18.227 RCW; and

20 (xxx) Certified peer specialists and certified peer specialist  
21 trainees under chapter 18.420 RCW.

22 (b) The boards and commissions having authority under this  
23 chapter are as follows:

24 (i) The podiatric medical board as established in chapter 18.22  
25 RCW;

26 (ii) The chiropractic quality assurance commission as established  
27 in chapter 18.25 RCW;

28 (iii) The dental quality assurance commission as established in  
29 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,  
30 licenses and registrations issued under chapter 18.260 RCW, licenses  
31 issued under chapter 18.265 RCW, and certifications issued under  
32 chapter 18.350 RCW;

33 (iv) The board of hearing and speech as established in chapter  
34 18.35 RCW;

35 (v) The board of examiners for nursing home administrators as  
36 established in chapter 18.52 RCW;

37 (vi) The optometry board as established in chapter 18.54 RCW  
38 governing licenses issued under chapter 18.53 RCW;

1 (vii) The board of osteopathic medicine and surgery as  
2 established in chapter 18.57 RCW governing licenses issued under  
3 chapter 18.57 RCW;

4 (viii) The pharmacy quality assurance commission as established  
5 in chapter 18.64 RCW governing licenses issued under chapters 18.64  
6 and 18.64A RCW;

7 (ix) The Washington medical commission as established in chapter  
8 18.71 RCW governing licenses and registrations issued under chapters  
9 18.71 ~~((and))~~, 18.71A ((RCW)), and 18.--- RCW (the new chapter  
10 created in section 10 of this act);

11 (x) The board of physical therapy as established in chapter 18.74  
12 RCW;

13 (xi) The board of occupational therapy practice as established in  
14 chapter 18.59 RCW;

15 (xii) The board of nursing as established in chapter 18.79 RCW  
16 governing licenses and registrations issued under that chapter and  
17 under chapter 18.80 RCW;

18 (xiii) The examining board of psychology and its disciplinary  
19 committee as established in chapter 18.83 RCW;

20 (xiv) The veterinary board of governors as established in chapter  
21 18.92 RCW;

22 (xv) The board of naturopathy established in chapter 18.36A RCW,  
23 governing licenses and certifications issued under that chapter; and

24 (xvi) The board of denturists established in chapter 18.30 RCW.

25 (3) In addition to the authority to discipline license holders,  
26 the disciplining authority has the authority to grant or deny  
27 licenses. The disciplining authority may also grant a license subject  
28 to conditions.

29 (4) All disciplining authorities shall adopt procedures to ensure  
30 substantially consistent application of this chapter, the uniform  
31 disciplinary act, among the disciplining authorities listed in  
32 subsection (2) of this section.

33 **Sec. 9.** RCW 18.120.020 and 2023 c 460 s 14 and 2023 c 175 s 9  
34 are each reenacted and amended to read as follows:

35 The definitions in this section apply throughout this chapter  
36 unless the context clearly requires otherwise.

37 (1) "Applicant group" includes any health professional group or  
38 organization, any individual, or any other interested party which  
39 proposes that any health professional group not presently regulated



1 be regulated or which proposes to substantially increase the scope of  
2 practice of the profession.

3 (2) "Certificate" and "certification" mean a voluntary process by  
4 which a statutory regulatory entity grants recognition to an  
5 individual who (a) has met certain prerequisite qualifications  
6 specified by that regulatory entity, and (b) may assume or use  
7 "certified" in the title or designation to perform prescribed health  
8 professional tasks.

9 (3) "Grandfather clause" means a provision in a regulatory  
10 statute applicable to practitioners actively engaged in the regulated  
11 health profession prior to the effective date of the regulatory  
12 statute which exempts the practitioners from meeting the prerequisite  
13 qualifications set forth in the regulatory statute to perform  
14 prescribed occupational tasks.

15 (4) "Health professions" means and includes the following health  
16 and health-related licensed or regulated professions and occupations:  
17 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
18 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
19 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
20 dental anesthesia assistants under chapter 18.350 RCW; dispensing  
21 opticians under chapter 18.34 RCW; hearing instruments under chapter  
22 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
23 funeral directing under chapter 18.39 RCW; midwifery under chapter  
24 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
25 optometry under chapters 18.53 and 18.54 RCW; ocularists under  
26 chapter 18.55 RCW; osteopathic medicine and surgery under chapter  
27 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine  
28 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter  
29 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses  
30 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;  
31 registered nurses under chapter 18.79 RCW; occupational therapists  
32 licensed under chapter 18.59 RCW; respiratory care practitioners  
33 licensed under chapter 18.89 RCW; veterinarians and veterinary  
34 technicians under chapter 18.92 RCW; massage therapists under chapter  
35 18.108 RCW; acupuncturists or acupuncture and Eastern medicine  
36 practitioners licensed under chapter 18.06 RCW; persons registered  
37 under chapter 18.19 RCW; persons licensed as mental health  
38 counselors, marriage and family therapists, and social workers under  
39 chapter 18.225 RCW; dietitians and nutritionists certified by chapter  
40 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing

1 assistants registered or certified under chapter 18.88A RCW;  
2 reflexologists certified under chapter 18.108 RCW; medical  
3 assistants-certified, medical assistants-hemodialysis technician,  
4 medical assistants-phlebotomist, forensic phlebotomist, and medical  
5 assistants-registered certified and registered under chapter 18.360  
6 RCW; licensed behavior analysts, licensed assistant behavior  
7 analysts, and certified behavior technicians under chapter 18.380  
8 RCW; music therapists licensed under chapter 18.233 RCW; ~~((and))~~  
9 dental therapists licensed under chapter 18.265 RCW; and  
10 anesthesiologist assistants licensed under chapter 18.--- RCW (the  
11 new chapter created in section 10 of this act).

12 (5) "Inspection" means the periodic examination of practitioners  
13 by a state agency in order to ascertain whether the practitioners'  
14 occupation is being carried out in a fashion consistent with the  
15 public health, safety, and welfare.

16 (6) "Legislative committees of reference" means the standing  
17 legislative committees designated by the respective rules committees  
18 of the senate and house of representatives to consider proposed  
19 legislation to regulate health professions not previously regulated.

20 (7) "License," "licensing," and "licensure" mean permission to  
21 engage in a health profession which would otherwise be unlawful in  
22 the state in the absence of the permission. A license is granted to  
23 those individuals who meet prerequisite qualifications to perform  
24 prescribed health professional tasks and for the use of a particular  
25 title.

26 (8) "Practitioner" means an individual who (a) has achieved  
27 knowledge and skill by practice, and (b) is actively engaged in a  
28 specified health profession.

29 (9) "Professional license" means an individual, nontransferable  
30 authorization to carry on a health activity based on qualifications  
31 which include: (a) Graduation from an accredited or approved program,  
32 and (b) acceptable performance on a qualifying examination or series  
33 of examinations.

34 (10) "Public member" means an individual who is not, and never  
35 was, a member of the health profession being regulated or the spouse  
36 of a member, or an individual who does not have and never has had a  
37 material financial interest in either the rendering of the health  
38 professional service being regulated or an activity directly related  
39 to the profession being regulated.

1 (11) "Registration" means the formal notification which, prior to  
2 rendering services, a practitioner shall submit to a state agency  
3 setting forth the name and address of the practitioner; the location,  
4 nature and operation of the health activity to be practiced; and, if  
5 required by the regulatory entity, a description of the service to be  
6 provided.

7 (12) "Regulatory entity" means any board, commission, agency,  
8 division, or other unit or subunit of state government which  
9 regulates one or more professions, occupations, industries,  
10 businesses, or other endeavors in this state.

11 (13) "State agency" includes every state office, department,  
12 board, commission, regulatory entity, and agency of the state, and,  
13 where provided by law, programs and activities involving less than  
14 the full responsibility of a state agency.

15 NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act  
16 constitute a new chapter in Title 18 RCW."

17 Correct the title.

EFFECT: Requires the medically directing anesthesiologist to personally participate in the most demanding procedures of the anesthesia plan, including induction and emergence. Allows the responsibilities of supervision to be met through coordination among anesthesiologists of the same group or department.

Adds to the definition of an "anesthesiologist" that they must be an actively practicing, board-eligible physician.

Eliminates the issuance of a temporary license for persons who have completed an anesthesiologist assistant program, but not passed a certification examination.

Prohibits anesthesiologist assistants from exceeding the scope of the supervising anesthesiologist's practice. Removes an anesthesiologist assistant's authority to order oxygen therapy and respiratory therapy. Removes an anesthesiologist assistant's authority to obtain informed consent for anesthesia and related procedures. Allows anesthesiologist assistants to maintain and manage neuraxial epidurals, rather than assist with epidurals. Removes an anesthesiologist assistant's authority to establish central lines. Prohibits anesthesiologist assistants from prescribing, ordering, compounding, or dispensing drugs, medications, or devices.

Corrects references to physicians to apply to anesthesiologists. Updates statutes to reflect changes made in the previous legislative session.

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