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**HOUSE BILL 1954**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Riccelli, Bateman, Ramel, Reed, Simmons, Ormsby, Macri, Doglio, Thai, Lekanoff, and Reeves

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1 AN ACT Relating to harmonizing statutory language relating to  
2 lawful participation in reproductive health care services or gender-  
3 affirming treatment; and amending RCW 18.130.450.

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

5 **Sec. 1.** RCW 18.130.450 and 2023 c 192 s 3 are each amended to  
6 read as follows:

7 (1) Notwithstanding RCW 18.130.180, the following shall not  
8 constitute unprofessional conduct under this chapter:

9 (a) The provision of, authorization of, recommendation of, aiding  
10 in, assistance in, referral for, or other participation in any  
11 reproductive health care services or gender-affirming treatment  
12 consistent with the standard of care in Washington by a license  
13 holder;

14 (b) The provision of, authorization of, recommendation of, aiding  
15 in, assistance in, referral for, or other participation in any  
16 reproductive health care services or gender-affirming treatment, by a  
17 license holder, if the participation would have been lawful and  
18 consistent with standards of care if it occurred entirely in  
19 Washington;

20 (c) A conviction or disciplinary action based on the license  
21 holder's violation of another state's laws prohibiting the provision

1 of, authorization of, recommendation of, aiding in, assistance in,  
2 referral for, or other participation in any reproductive health care  
3 services or gender-affirming treatment, if the participation would  
4 have been lawful and consistent with standards of care if it occurred  
5 entirely in Washington.

6 (2) Except as required by chapter 18.71B RCW, the following,  
7 alone or in combination, shall not serve as the basis for a denial of  
8 an application for licensure, licensure renewal, or temporary  
9 practice permit, or for any other disciplinary action by a  
10 disciplining authority against an applicant or license holder:

11 (a) The provision of, authorization of, recommendation of, aiding  
12 in, assistance in, referral for, or other participation in any  
13 reproductive health care services or gender-affirming treatment  
14 consistent with the standard of care in Washington by a license  
15 holder;

16 (b) The provision of, authorization of, recommendation of, aiding  
17 in, assistance in, referral for, or other participation in any  
18 reproductive health care services or gender-affirming treatment, by a  
19 license holder, if the participation would have been lawful and  
20 consistent with standards of care if it occurred entirely in  
21 Washington;

22 ((~~(b)~~)) (c) A conviction or disciplinary action based on the  
23 license holder's violation of another state's laws prohibiting the  
24 provision of, authorization of, recommendation of, aiding in,  
25 assistance in, referral for, or other participation in any  
26 reproductive health care services or gender-affirming treatment, if  
27 the participation would have been lawful and consistent with  
28 standards of care if it occurred entirely in Washington.

29 (3) Nothing in this section prohibits the disciplining authority  
30 from taking action on separate charges that are unrelated to the  
31 provision of, authorization of, recommendation of, aiding in,  
32 assistance in, referral for, or other participation in any  
33 reproductive health care services or gender-affirming treatment that  
34 would have been lawful and consistent with standards of care if it  
35 occurred entirely in Washington.

36 (4) Nothing in this section shall be construed to expand the  
37 scope of practice of any license holder licensed under this title,  
38 nor does this section give any such license holder the authority to  
39 act outside their scope of practice as defined under this title.

1           (5) For the purposes of this section the following definitions  
2 apply:

3           (a) "Gender-affirming treatment" means a service or product that  
4 a health care provider, as defined in RCW 70.02.010, provides to an  
5 individual to support and affirm the individual's gender identity.  
6 "Gender-affirming treatment" includes, but is not limited to,  
7 treatment for gender dysphoria. "Gender-affirming treatment" can be  
8 provided to two spirit, transgender, nonbinary, and other gender  
9 diverse individuals.

10          (b) "Reproductive health care services" means any medical  
11 services or treatments, including pharmaceutical and preventive care  
12 services or treatments, directly involved in the reproductive system  
13 and its processes, functions, and organs involved in reproduction.

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