

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1094

Chapter 195, Laws of 2001

57th Legislature
2001 Regular Legislative Session

HEALTH PROFESSIONS--LICENSES

EFFECTIVE DATE: 7/22/01

Passed by the House April 19, 2001
Yeas 98 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate April 18, 2001
Yeas 39 Nays 0

BRAD OWEN
President of the Senate

Approved May 7, 2001

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1094** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

May 7, 2001 - 1:37 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1094

AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Skinner, Schual-Berke, Cody, Campbell, Conway, Ruderman, Dunshee, Alexander, Edmonds, Kenney, Edwards and Kagi)

Read first time . Referred to Committee on .

1 AN ACT Relating to the surrender of a health care professional's
2 license; and amending RCW 18.130.160.

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

4 **Sec. 1.** RCW 18.130.160 and 1993 c 367 s 6 are each amended to read
5 as follows:

6 Upon a finding, after hearing, that a license holder or applicant
7 has committed unprofessional conduct or is unable to practice with
8 reasonable skill and safety due to a physical or mental condition, the
9 disciplining authority may issue an order providing for one or any
10 combination of the following:

- 11 (1) Revocation of the license;
- 12 (2) Suspension of the license for a fixed or indefinite term;
- 13 (3) Restriction or limitation of the practice;
- 14 (4) Requiring the satisfactory completion of a specific program of
15 remedial education or treatment;
- 16 (5) The monitoring of the practice by a supervisor approved by the
17 disciplining authority;
- 18 (6) Censure or reprimand;

1 (7) Compliance with conditions of probation for a designated period
2 of time;

3 (8) Payment of a fine for each violation of this chapter, not to
4 exceed five thousand dollars per violation. Funds received shall be
5 placed in the health professions account;

6 (9) Denial of the license request;

7 (10) Corrective action;

8 (11) Refund of fees billed to and collected from the consumer;

9 (12) A surrender of the practitioner's license in lieu of other
10 sanctions, which must be reported to the federal data bank.

11 Any of the actions under this section may be totally or partly
12 stayed by the disciplining authority. In determining what action is
13 appropriate, the disciplining authority must first consider what
14 sanctions are necessary to protect or compensate the public. Only
15 after such provisions have been made may the disciplining authority
16 consider and include in the order requirements designed to rehabilitate
17 the license holder or applicant. All costs associated with compliance
18 with orders issued under this section are the obligation of the license
19 holder or applicant.

20 The licensee or applicant may enter into a stipulated disposition
21 of charges that includes one or more of the sanctions of this section,
22 but only after a statement of charges has been issued and the licensee
23 has been afforded the opportunity for a hearing and has elected on the
24 record to forego such a hearing. The stipulation shall either contain
25 one or more specific findings of unprofessional conduct or inability to
26 practice, or a statement by the licensee acknowledging that evidence is
27 sufficient to justify one or more specified findings of unprofessional
28 conduct or inability to practice. The stipulation entered into
29 pursuant to this subsection shall be considered formal disciplinary
30 action for all purposes.

Passed the House April 19, 2001.

Passed the Senate April 18, 2001.

Approved by the Governor May 7, 2001.

Filed in Office of Secretary of State May 7, 2001.