

HOUSE BILL REPORT

HB 1960

*As Reported By House Committee on:
Health Care*

Title: An act relating to health professions regulation.

Brief Description: Redefining practice beyond the scope of practice for health professions.

Sponsor(s): Representatives Prentice, Paris, Day, Braddock, Cantwell, Edmondson, Franklin, Morris, Phillips, Pruitt, Basich, Leonard, Orr, Wood, R. Johnson, Heavey, Wineberry, May, D. Sommers, Beck and Dellwo.

Brief History:

Reported by House Committee on:
Health Care, March 4, 1991, DPS.

**HOUSE COMMITTEE ON
HEALTH CARE**

Majority Report: *That Substitute House Bill No. 1960 be substituted therefor, and the substitute bill do pass.*
Signed by 11 members: Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Staff: John Welsh (786-7133).

Background: The Uniform Disciplinary Act provides standardized procedures and sanctions for specified acts of unprofessional conduct governing the regulated health practitioners in this state.

The commission of an act of incompetence, negligence or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed constitutes unprofessional conduct.

Summary of Substitute Bill: The use of a nontraditional treatment by itself shall not constitute unprofessional conduct provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed.

Substitute Bill Compared to Original Bill: Technically, the declaration that a nontraditional modality by itself does not constitute unprofessional conduct modifies the subsection relating to malpractice. In the original bill, it modified the subsection relating to scope of practice. The nontraditional treatment must not result in injury to a patient or cause a risk of harm to a patient.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The state Medical Disciplinary Board has discriminated against physicians who practice alternative health care, considered nontraditional medicine. Many patients who received no satisfaction with traditional medical care have gotten relief from physicians who practice under other theories, including holistic medicine. The board should not discriminate unreasonably against these physicians as long as no harm is being done. Their patients demand a freedom to choose the health care that they believe is best for them, and this freedom is adversely affected by discrimination and harassment from state disciplinary authorities.

Testimony Against: None on substitute.

Witnesses: Glenn Warner (pro); Robert Kimmel (pro); Joseph Hatterslay (pro); Symma Winston (pro); Elizabeth Springer (pro); David Clumpner, Well Mind Association (pro); Dave Hamilton (pro); Beverly Haywood (pro); Bob Wheeler (pro); William Robertson, Washington State Medical Association (pro with amendment); Jan Polek, Medical Disciplinary Board (neutral); Jeff Larson, Washington Academy of Physicians Assistants (pro); and Steve Curry (pro).