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SENATE BILL 6049

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State of Washington

52nd Legislature

1992 Regular Session

By Senator L. Smith

Read first time 01/13/92. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to referral of patients to laboratories by  
2 physicians; adding a new chapter to Title 19 RCW; and prescribing  
3 penalties.

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

5 NEW SECTION. **Sec. 1.** Unless the context clearly requires  
6 otherwise, the definitions in this section apply throughout this  
7 chapter.

8 (1) "Department" means the department of health.

9 (2) "Health care laboratory service" means a business, firm,  
10 corporation, or entity that provides testing or diagnosis of human  
11 disease or dysfunction and includes, but is not limited to,  
12 bioanalytical, laboratory, radiological, and diagnostic imagery  
13 services.

1 (3) "Practitioner" means a physician licensed pursuant to chapter  
2 18.57 or 18.71 RCW.

3 NEW SECTION. **Sec. 2.** (1) Except when authorized under  
4 subsection (2) of this section, a practitioner shall not refer a  
5 patient to a health care laboratory service in which the practitioner  
6 has any financial interest.

7 (2) A practitioner may refer a patient to a health care laboratory  
8 service in which the practitioner has a financial interest if the  
9 department has determined by rule that:

10 (a) The service is located in a rural area, as defined by the  
11 department, and provides laboratory services primarily to patients  
12 living in the rural area;

13 (b) Alternative health care laboratory services are not available  
14 in the rural area; and

15 (c) Prohibiting the referral of patients will jeopardize patient  
16 care because of delays in treatment.

17 NEW SECTION. **Sec. 3.** A violation of this chapter is a gross  
18 misdemeanor and is unprofessional conduct and subject to the provisions  
19 of chapter 18.130 RCW.

20 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act shall  
21 constitute a new chapter in Title 19 RCW.