

5632-S

Sponsor(s): Senate Committee on Health & Long-Term Care (originally sponsored by Senators West, Niemi and Johnson)

Brief Description: Redefining what an ocularist is and his or her apprenticeship period.

**SB 5632-S - DIGEST**

(DIGEST AS ENACTED)

Specifies the procedures which an ocularist is authorized to perform on referral of a physician and without a referral of a physician.

Provides for the administration of an exam for ocularists.

Authorizes the issuance of credentials to ocularists licensed in another state.

VETO MESSAGE ON SB 5632-S

May 15, 1991

To the Honorable, the Senate  
of the State of Washington  
Ladies and Gentlemen:

I am returning herewith, without my approval as to sections 10 and 11, Substitute Senate Bill No. 5632 entitled:

"AN ACT Relating to ocularists."

Section 10 of this bill establishes the state ocularist advisory committee in statute. This three member committee, appointed by the Secretary of the Department of Health, is comprised of a physician, an ocularist, and a state department of health employee. The purpose of this committee is to advise the Secretary of the Department of Health on the administration of the ocularist practice act. I see no reason for a state employee to be a member of this health profession advisory committee nor is it necessary to establish this advisory committee by statute. The Secretary of the Department of Health has authority under RCW 18.122.070 to appoint advisory committees to assist in the administration of health profession regulatory statutes. Therefore, I have vetoed section 10 of this bill.

Section 11 of this bill restates substantially the immunity from liability extended by RCW 18.122.070(5) to the secretary, members of advisory committees or individuals acting on their behalf. RCW 18.122.070(5) provides immunity based on "official acts performed in the course of their duties" for members of health care advisory committees. Section 11 of this bill would extend immunity to the state ocularist advisory committee for "any act performed in the course of their duties."

Neither the bill nor its legislative history provides further explanation of the change in immunity extended by section 11, nor a justification for such change to members of a particular health care advisory committee. Therefore, I have vetoed section 11 of this bill.

With the exception of sections 10 and 11, Substitute Senate

Bill No. 5632 is approved.

Respectfully submitted,  
Booth Gardner  
Governor