

# SENATE BILL REPORT

## SHB 2842

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As Reported By Senate Committee On:  
Health & Long-Term Care, February 24, 1998

**Title:** An act relating to professional liability risk management training.

**Brief Description:** Repealing the health care liability risk management training program.

**Sponsors:** House Committee on Health Care (originally sponsored by Representative Dyer).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/19/98, 2/24/98 [DP].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton and Franklin.

**Staff:** Jonathan Seib (786-7427)

**Background:** Current law requires medical malpractice insurance companies to verify that a physician or other independent health care practitioner has met certain risk management training requirements before the insurer issues a new malpractice policy or renews an existing policy. The Department of Health was to define independent health practitioner by rule; however, their statutory authority to do so was repealed before the department adopted a definition. Therefore, some ambiguity exists regarding which practitioners, other than physicians, must complete the risk management training. The office of the Insurance Commissioner's interpretation is that MDs and osteopaths must comply with the risk management training requirements, but other independent health care practitioners do not since this term was never defined.

**Summary of Bill:** The requirement that physicians and independent health care practitioners complete a liability risk management training program every three years before insurance companies can provide them malpractice insurance is repealed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The bill removes an unnecessary risk management training requirement.

**Testimony Against:** Risk management is essential to reducing negative outcomes for patients and physicians. Risk management training is an appropriate alternative if efforts are to be made to limit provider liability.

**Testified:** PRO: Maija Culs-Deal, Washington Casualty Company; CON: Gary Morse, Physicians Insurance; Cliff Webster, Washington State Medical Association.