

SENATE BILL REPORT

SB 6545

As Reported By Senate Committee On:
Health & Long-Term Care, February 6, 1998

Title: An act relating to treatment programs for impaired physicians.

Brief Description: Providing full funding for the impaired physician program.

Sponsors: Senators Wood, Wojahn, Rasmussen, Benton, Fairley, Strannigan and Hale.

Brief History:

Committee Activity: Health & Long-Term Care: 1/22/98, 2/6/98 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6545 be substituted therefor, and the substitute bill do pass.

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

Staff: Joan K. Mell (786-7447)

Background: The Department of Health collects \$25 from the physician's annual licensing fee to fund impaired physician's programs, pursuant to the language of the current statute. The funds are deposited into a health professions account, which is subject to legislative appropriation. The present statute requires that the surcharge must be used solely for the implementation of the impaired physician's program.

Summary of Substitute Bill: The surcharge must be deposited into a new nonappropriated account designated the impaired physician account. As a special nonappropriated account, all of the funds in the account could be spent without appropriation from the Legislature. The surcharge amount is set at \$25. The charge is collected from physician assistants as well as physicians, and any other providers whose licensing authority contracts with the impaired physician's program.

The impaired physician's program includes extension of immunity to the entity that runs the impaired physician's program.

The licensing commission is authorized to contract for up to six years with an entity to provide impaired physician programs.

The term "impaired" is redefined to require that a condition cause an inability to practice medicine with reasonable skill and safety to patients.

The scope of the impaired physician's program is broadened to include treatment and assessment of reports of suspected impairment.

Impaired practitioner programs and voluntary substance abuse monitoring programs must report suspected or verified impairment to the licensing commission, as well as accept complaints of suspected or verified impairment.

The impaired physician program is given authority to select treatment programs for its patients.

There is a provision encouraging courts to sanction persons alleging impairment without good faith and reasonable grounds.

Substitute Bill Compared to Original Bill: Osteopathic physician assistants may be surcharged \$25 for impaired practitioner programs.

Medical physician assistants must be surcharged \$25 for the impaired physician program.

Appropriation: None.

Fiscal Note: Requested on January 16, 1998.

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

Testimony For: A non-appropriated account would avoid shortfalls with funding that has been a problem in the past. Technical changes bring statutes in conformance with present practices.

Testimony Against: None.

Testified: Lynn Hankes, M.D., WA Physician Health Program (pro).