
HOUSE BILL 1619

State of Washington

55th Legislature

1997 Regular Session

By Representatives Zellinsky, Dyer, Cody, Skinner, Parlette, Sherstad and Clements

Read first time 02/03/97. Referred to Committee on Health Care.

1 AN ACT Relating to compensation for members of medical boards; and
2 amending RCW 18.71.015 and 18.57.003.

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

4 **Sec. 1.** RCW 18.71.015 and 1994 sp.s. c 9 s 303 are each amended to
5 read as follows:

6 The Washington state medical quality assurance commission is
7 established, consisting of thirteen individuals licensed to practice
8 medicine in the state of Washington under this chapter, two individuals
9 who are licensed as physician assistants under chapter 18.71A RCW, and
10 four individuals who are members of the public. Each congressional
11 district now existing or hereafter created in the state must be
12 represented by at least one physician member of the commission. The
13 terms of office of members of the commission are not affected by
14 changes in congressional district boundaries. Public members of the
15 commission may not be a member of any other health care licensing board
16 or commission, or have a fiduciary obligation to a facility rendering
17 health services regulated by the commission, or have a material or
18 financial interest in the rendering of health services regulated by the
19 commission.

1 The members of the commission shall be appointed by the governor.
2 Members of the initial commission may be appointed to staggered terms
3 of one to four years, and thereafter all terms of appointment shall be
4 for four years. The governor shall consider such physician and
5 physician assistant members who are recommended for appointment by the
6 appropriate professional associations in the state. In appointing the
7 initial members of the commission, it is the intent of the legislature
8 that, to the extent possible, the existing members of the board of
9 medical examiners and medical disciplinary board repealed under section
10 336, chapter 9, Laws of 1994 sp. sess. be appointed to the commission.
11 No member may serve more than two consecutive full terms. Each member
12 shall hold office until a successor is appointed.

13 Each member of the commission must be a citizen of the United
14 States, must be an actual resident of this state, and, if a physician,
15 must have been licensed to practice medicine in this state for at least
16 five years.

17 The commission shall meet as soon as practicable after appointment
18 and elect officers each year. Meetings shall be held at least four
19 times a year and at such place as the commission determines and at such
20 other times and places as the commission deems necessary. A majority
21 of the commission members appointed and serving constitutes a quorum
22 for the transaction of commission business.

23 The affirmative vote of a majority of a quorum of the commission is
24 required to carry any motion or resolution, to adopt any rule, or to
25 pass any measure. The commission may appoint panels consisting of at
26 least three members. A quorum for the transaction of any business by
27 a panel is a minimum of three members. A majority vote of a quorum of
28 the panel is required to transact business delegated to it by the
29 commission.

30 Each member of the commission shall be compensated in ((accordance
31 with RCW 43.03.240 and)) an amount not to exceed five hundred dollars
32 per day during which the member attends an official meeting of the
33 group or performs statutorily prescribed duties approved by the
34 chairperson of the commission. A person shall not receive compensation
35 for a day of service under this section if the person (1) occupies a
36 position, normally regarded as full time in nature, in any agency of
37 the federal government, Washington state government, or Washington
38 state local government; and (2) receives any compensation from such
39 government for working that day. In addition ((thereto)) each member

1 shall be reimbursed for travel expenses incurred in carrying out the
2 duties of the commission in accordance with RCW 43.03.050 and
3 43.03.060. Any such expenses shall be paid from funds appropriated to
4 the department of health.

5 Whenever the governor is satisfied that a member of a commission
6 has been guilty of neglect of duty, misconduct, or malfeasance or
7 misfeasance in office, the governor shall file with the secretary of
8 state a statement of the causes for and the order of removal from
9 office, and the secretary shall forthwith send a certified copy of the
10 statement of causes and order of removal to the last known post office
11 address of the member.

12 Vacancies in the membership of the commission shall be filled for
13 the unexpired term by appointment by the governor.

14 The members of the commission are immune from suit in an action,
15 civil or criminal, based on its disciplinary proceedings or other
16 official acts performed in good faith as members of the commission.

17 Whenever the workload of the commission requires, the commission
18 may request that the secretary appoint pro tempore members of the
19 commission. When serving, pro tempore members of the commission have
20 all of the powers, duties, and immunities, and are entitled to all of
21 the emoluments, including travel expenses, of regularly appointed
22 members of the commission.

23 **Sec. 2.** RCW 18.57.003 and 1991 c 160 s 2 are each amended to read
24 as follows:

25 There is hereby created an agency of the state of Washington,
26 consisting of seven individuals appointed by the governor to be known
27 as the Washington state board of osteopathic medicine and surgery.

28 On expiration of the term of any member, the governor shall appoint
29 for a period of five years a qualified individual to take the place of
30 such member. Each member shall hold office until the expiration of the
31 term for which such member is appointed or until a successor shall have
32 been appointed and shall have qualified. Initial appointments shall be
33 made and vacancies in the membership of the board shall be filled for
34 the unexpired term by appointment by the governor.

35 Each member of the board shall be a citizen of the United States
36 and must be an actual resident of this state. One member shall be a
37 consumer who has neither a financial nor a fiduciary relationship to a
38 health care delivery system, and every other member must have been in

1 active practice as a licensed osteopathic physician and surgeon in this
2 state for at least five years immediately preceding appointment.

3 The board shall elect a chairperson, a secretary, and a vice-
4 chairperson from its members. Meetings of the board shall be held at
5 least four times a year and at such place as the board shall determine
6 and at such other times and places as the board deems necessary.

7 An affirmative vote of a simple majority of the members present at
8 a meeting or hearing shall be required for the board to take any
9 official action. The board may not take any action without a quorum of
10 the board members present. A simple majority of the board members
11 currently serving constitutes a quorum of the board.

12 Each member of the board shall be compensated in (~~accordance with~~
13 ~~RCW 43.03.240 and~~) an amount not to exceed five hundred dollars per
14 day during which the member attends an official meeting of the group or
15 performs statutorily prescribed duties approved by the chairperson of
16 the commission. A person shall not receive compensation for a day of
17 service under this section if the person (1) occupies a position,
18 normally regarded as full time in nature, in any agency of the federal
19 government, Washington state government, or Washington state local
20 government; and (2) receives any compensation from such government for
21 working that day. In addition each member shall be reimbursed for
22 travel expenses in accordance with RCW 43.03.050 and 43.03.060.

23 Any member of the board may be removed by the governor for neglect
24 of duty, misconduct, malfeasance or misfeasance in office, or upon
25 written request of two-thirds of the physicians licensed under this
26 chapter and in active practice in this state.

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