

2 **SB 5702** - S AMD - 050

3 By Senators Benton and Stevens

4 RULED OUTSIDE SCOPE AND OBJECT; 3/9/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** Podiatric physicians and surgeons are well-
8 trained, well-educated, and required to take postgraduate training to
9 be licensed in Washington. They are well-suited to become physician
10 assistants. The growing older population of citizens is particularly
11 well-served by having access to these well-trained providers. The
12 legislature finds that by providing for the licensure and supervision
13 of podiatric physicians and surgeons by physicians as physician
14 assistants, the health and welfare of our citizens will be improved and
15 access to preventative health care will be increased.

16 **Sec. 2.** RCW 18.71A.010 and 1994 sp.s. c 9 s 318 are each amended
17 to read as follows:

18 The definitions set forth in this section apply throughout this
19 chapter.

20 (1) "Physician assistant" means: (a) A person who is licensed by
21 the commission to practice medicine to a limited extent only under the
22 supervision of a physician as defined in chapter 18.71 RCW and who is
23 academically and clinically prepared to provide health care services
24 and perform diagnostic, therapeutic, preventative, and health
25 maintenance services; and (b) a person who is currently licensed as a
26 podiatric physician and surgeon as defined in chapter 18.22 RCW and who
27 is licensed by the commission to practice medicine to a limited extent
28 only under the supervision of a physician licensed under chapter 18.71
29 RCW.

30 (2) "Commission" means the medical quality assurance commission.

31 (3) "Practice medicine" has the meaning defined in RCW 18.71.011.

32 (4) "Secretary" means the secretary of health or the secretary's
33 designee.

34 (5) "Department" means the department of health.

1 **Sec. 3.** RCW 18.71A.020 and 1998 c 132 s 14 are each amended to
2 read as follows:

3 (1) The commission shall adopt rules fixing the qualifications and
4 the educational and training requirements for licensure as a physician
5 assistant or for those enrolled in any physician assistant training
6 program. The requirements shall include completion of an accredited
7 physician assistant training program approved by the commission and
8 ~~((eligibility to take))~~ within one year successfully take and pass an
9 examination approved by the commission, if the examination tests
10 subjects substantially equivalent to the curriculum of an accredited
11 physician assistant training program. An interim permit may be granted
12 by the department of health for one year provided the applicant meets
13 all other requirements. Physician assistants licensed by the board of
14 medical examiners, or the medical quality assurance commission as of
15 ~~((June 7, 1990))~~ July 1, 1999, shall continue to be licensed. No
16 additional training either academically or clinically shall be required
17 of a person currently licensed as a podiatric physician and surgeon
18 under chapter 18.22 RCW to become a physician assistant under this
19 chapter.

20 (2)(a) The commission shall adopt rules governing the extent to
21 which:

22 (i) Physician assistant students may practice medicine during
23 training; and

24 (ii) Physician assistants may practice after successful completion
25 of a physician assistant training course.

26 (b) Such rules shall provide:

27 (i) That the practice of a physician assistant shall be limited to
28 the performance of those services for which he or she is trained; and

29 (ii) That each physician assistant shall practice medicine only
30 under the supervision and control of a physician licensed in this
31 state, but such supervision and control shall not be construed to
32 necessarily require the personal presence of the supervising physician
33 or physicians at the place where services are rendered.

34 (3) Applicants for licensure shall file an application with the
35 commission on a form prepared by the secretary with the approval of the
36 commission, detailing the education, training, and experience of the
37 physician assistant and such other information as the commission may
38 require. The application shall be accompanied by a fee determined by
39 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge

1 of twenty-five dollars per year shall be charged on each license
2 renewal or issuance of a new license to be collected by the department
3 and deposited into the impaired physician account for physician
4 assistant participation in the impaired physician program. Each
5 applicant shall furnish proof satisfactory to the commission of the
6 following:

7 (a) That the applicant has completed an accredited physician
8 assistant program approved by the commission, or that the applicant is
9 licensed as a podiatric physician and surgeon under chapter 18.22 RCW,
10 and the applicant is eligible to take the examination approved by the
11 commission;

12 (b) That the applicant is of good moral character; and

13 (c) That the applicant is physically and mentally capable of
14 practicing medicine as a physician assistant with reasonable skill and
15 safety. The commission may require an applicant to submit to such
16 examination or examinations as it deems necessary to determine an
17 applicant's physical or mental capability, or both, to safely practice
18 as a physician assistant.

19 (4) The commission may approve, deny, or take other disciplinary
20 action upon the application for license as provided in the Uniform
21 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed as
22 determined under RCW 43.70.250 and 43.70.280. The commission may
23 authorize the use of alternative supervisors who are licensed either
24 under chapter 18.57 or 18.71 RCW.

25 **Sec. 4.** RCW 18.71A.060 and 1994 sp.s. c 9 s 324 are each amended
26 to read as follows:

27 No health care services may be performed under this chapter in any
28 of the following areas:

29 (1) The measurement of the powers or range of human vision, or the
30 determination of the accommodation and refractive state of the human
31 eye or the scope of its functions in general, or the fitting or
32 adaptation of lenses or frames for the aid thereof.

33 (2) The prescribing or directing the use of, or using, any optical
34 device in connection with ocular exercises, visual training, vision
35 training, or orthoptics.

36 (3) The prescribing of contact lenses for, or the fitting or
37 adaptation of contact lenses to, the human eye.

1 (4) Nothing in this section shall preclude the performance of
2 routine visual screening.

3 (5) The practice of dentistry or dental hygiene as defined in
4 chapters 18.32 and 18.29 RCW respectively. The exemptions set forth in
5 RCW 18.32.030 (1) and (8), shall not apply to a physician assistant.

6 (6) The practice of chiropractic as defined in chapter 18.25 RCW
7 including the adjustment or manipulation of the articulations of the
8 spine.

9 (7) The practice of podiatric medicine and surgery as defined in
10 chapter 18.22 RCW unless the physician assistant is licensed as a
11 podiatric physician and surgeon under chapter 18.22 RCW.

12 **Sec. 5.** RCW 18.57A.010 and 1979 c 117 s 17 are each amended to
13 read as follows:

14 (1) "Osteopathic physician's assistant" means: (a) A person who
15 has satisfactorily completed a board-approved training program designed
16 to prepare persons to practice osteopathic medicine to a limited
17 extent; and (b) a person who is currently licensed as a podiatric
18 physician and surgeon as defined in chapter 18.22 RCW and who is
19 licensed by the commission to practice medicine to a limited extent
20 only under the supervision of an osteopathic physician licensed under
21 chapter 18.57 RCW;

22 (2) "Board" means the board of osteopathic medicine and surgery;
23 and

24 (3) "Practice medicine" shall have the meaning defined in RCW
25 18.57.001.

26 **Sec. 6.** RCW 18.57A.020 and 1998 c 132 s 13 are each amended to
27 read as follows:

28 (1) The board shall adopt rules fixing the qualifications and the
29 educational and training requirements for licensure as an osteopathic
30 physician assistant or for those enrolled in any physician assistant
31 training program. The requirements shall include completion of an
32 accredited physician assistant training program approved by the board
33 and ~~((eligibility to take))~~ within one year successfully take and pass
34 an examination approved by the board, providing such examination tests
35 subjects substantially equivalent to the curriculum of an accredited
36 physician assistant training program. An interim permit may be granted
37 by the department of health for one year provided the applicant meets

1 all other requirements. Physician assistants licensed by the board of
2 osteopathic medicine as of July 1, 1999, shall continue to be licensed.
3 No additional training either academically or clinically shall be
4 required of a person currently licensed as a podiatric physician and
5 surgeon under chapter 18.22 RCW to become an osteopathic physician's
6 assistant under this chapter.

7 (2)(a) The board shall adopt rules governing the extent to which:

8 (i) Physician assistant students may practice medicine during
9 training; and

10 (ii) Physician assistants may practice after successful completion
11 of a training course.

12 (b) Such rules shall provide:

13 (i) That the practice of an osteopathic physician assistant shall
14 be limited to the performance of those services for which he or she is
15 trained; and

16 (ii) That each osteopathic physician assistant shall practice
17 osteopathic medicine only under the supervision and control of an
18 osteopathic physician licensed in this state, but such supervision and
19 control shall not be construed to necessarily require the personal
20 presence of the supervising physicians at the place where services are
21 rendered. The board may authorize the use of alternative supervisors
22 who are licensed either under chapter 18.57 or 18.71 RCW.

23 (3) Applicants for licensure shall file an application with the
24 board on a form prepared by the secretary with the approval of the
25 board, detailing the education, training, and experience of the
26 physician assistant and such other information as the board may
27 require. The application shall be accompanied by a fee determined by
28 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge
29 of twenty-five dollars per year may be charged on each license renewal
30 or issuance of a new license to be collected by the department of
31 health for physician assistant participation in an impaired
32 practitioner program. Each applicant shall furnish proof satisfactory
33 to the board of the following:

34 (a) That the applicant has completed an accredited physician
35 assistant program approved by the board, or that the applicant is
36 licensed as a podiatric physician and surgeon under chapter 18.22 RCW,
37 and the applicant is eligible to take the examination approved by the
38 board;

39 (b) That the applicant is of good moral character; and

1 (c) That the applicant is physically and mentally capable of
2 practicing osteopathic medicine as an osteopathic physician assistant
3 with reasonable skill and safety. The board may require any applicant
4 to submit to such examination or examinations as it deems necessary to
5 determine an applicant's physical and/or mental capability to safely
6 practice as an osteopathic physician assistant.

7 (4) The board may approve, deny, or take other disciplinary action
8 upon the application for a license as provided in the uniform
9 disciplinary act, chapter 18.130 RCW. The license shall be renewed as
10 determined under RCW 43.70.250 and 43.70.280.

11 **Sec. 7.** RCW 18.57A.060 and 1973 c 77 s 20 are each amended to read
12 as follows:

13 No health care services may be performed under this chapter in any
14 of the following areas:

15 (1) The measurement of the powers or range of human vision, or the
16 determination of the accommodation and refractive state of the human
17 eye or the scope of its functions in general, or the fitting or
18 adaptation of lenses or frames for the aid thereof.

19 (2) The prescribing or directing the use of, or using, any optical
20 device in connection with ocular exercises, visual training, vision
21 training or orthoptics.

22 (3) The prescribing of contact lenses for, or the fitting or
23 adaptation of contact lenses to, the human eye.

24 (4) Nothing in this section shall preclude the performance of
25 routine visual screening.

26 (5) The practice of dentistry or dental hygiene as defined in
27 chapter 18.32 and 18.29 RCW respectively. The exemptions set forth in
28 RCW 18.32.030, paragraphs (1) and (8), shall not apply to a physician's
29 assistant.

30 (6) The practice of chiropractic as defined in chapter 18.25 RCW
31 including the adjustment or manipulation of the articulations of the
32 spine.

33 (7) The practice of (~~podiatry~~) podiatric medicine and surgery as
34 defined in chapter 18.22 RCW unless the osteopathic physician's
35 assistant is licensed as a podiatric physician and surgeon under
36 chapter 18.22 RCW.

1 **Sec. 8.** RCW 18.22.035 and 1990 c 147 s 6 are each amended to read
2 as follows:

3 (1) A podiatric physician and surgeon is responsible for the
4 quality of podiatric care.

5 (2) The practice of podiatric medicine and surgery is the diagnosis
6 and the medical, surgical, mechanical, manipulative, and electrical
7 treatments of ailments of the human foot.

8 (3) Podiatric physicians and surgeons may issue prescriptions valid
9 at any pharmacy for any drug, including narcotics, necessary in the
10 practice of podiatry.

11 (4) Podiatrists shall not:

12 (a) Amputate the foot;

13 (b) Administer spinal anesthetic or any anesthetic that renders the
14 patient unconscious; or

15 (c) Treat systemic conditions, except as authorized under chapter
16 18.71A or 18.57A RCW.

17 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.71A RCW
18 to read as follows:

19 From 2000 through 2004, the commission shall report to the
20 legislature each December on the number of podiatric physicians and
21 surgeons who apply and the number who are licensed as physician
22 assistants.

23 NEW SECTION. **Sec. 10.** A new section is added to chapter 18.57A
24 RCW to read as follows:

25 From 2000 through 2004, the board shall report to the legislature
26 each December on the number of podiatric physicians and surgeons who
27 apply and the number who are licensed as osteopathic physicians'
28 assistants."

29 **SB 5702** - S AMD - 050
30 By Senators Benton and Stevens

31

32 O page 1, line 2 of the title, after "restrictions;" strike the
33 remainder of the title and insert "amending RCW 18.71A.010, 18.71A.020,
34 18.71A.060, 18.57A.010, 18.57A.020, 18.57A.060, and 18.22.035; adding

1 a new section to chapter 18.71A RCW; adding a new section to chapter
2 18.57A RCW; and creating a new section."

--- **END** ---