

HOUSE BILL REPORT

HB 1862

As Reported By House Committee On:

Health Care

Title: An act relating to the surrender of a health care professional's license.

Brief Description: Allowing a health care professional to surrender his or her license to practice.

Sponsors: Representatives Conway, Cody, Campbell, Ruderman, Alexander and Skinner.

Brief History:

Committee Activity:

Health Care: 2/26/99, 3/1/99 [DPS].

Brief Summary of Substitute Bill

- Includes the surrender of a professional license as a formal sanction, as part of a final or agreed order, under the Uniform Disciplinary Act.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Alexander; Boldt; Campbell; Conway; Edmonds; Edwards; Mulliken and Ruderman.

Staff: John Welsh (786-7133).

Background:

The Uniform Disciplinary Act governs the administrative and adjudicative procedures and sanctions for unprofessional conduct relating to the regulated health professions. The disciplining authorities include the Secretary of Health as well as the health professions boards and commissions with regulatory authority.

Sanctions for unprofessional conduct include license revocation, suspension, restriction, remedial education or treatment, monitoring of a practice, censure, probation, fine, license denial, corrective action, and refund of fees.

Surrender of a license is not included as a sanction. However it may result from a stipulated informal disposition of a case, after an investigation and statement of allegations. In such a settlement, there are no findings with regard to the allegation and the matter is not reportable.

Summary of Substitute Bill:

The surrender of a practitioner's license constitutes a sanction for unprofessional conduct.

Substitute Bill Compared to Original Bill: Surrender of a license as a sanction is reportable information, as part of a final or agreed order, and may not be stipulated in an informal disposition of a case. References to certification and registration are deleted, as they are included in the definition of license.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: It is necessary to recognize as a sanction what is commonly used now as an informal remedy. The law should be clarified to permit the surrender of a license as a formal sanction. This sanction, however, must be reportable information in the record.

Testimony Against: None.

Testified: (support) Carl Nelson, Washington State Medical Association.

(concerns) Pat Brown, Department of Health.