
HOUSE BILL 2292

State of Washington

56th Legislature

1999 Regular Session

By Representatives Schoesler and Benson

Read first time . Referred to Committee on Health Care.

1 AN ACT Relating to rebating by practitioners of healing
2 professions; and amending RCW 19.68.010 and 19.68.030.

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

4 **Sec. 1.** RCW 19.68.010 and 1993 c 492 s 233 are each amended to
5 read as follows:

6 It shall be unlawful for any person, firm, corporation or
7 association, whether organized as a cooperative, or for profit or
8 nonprofit, to pay, or offer to pay or allow, directly or indirectly, to
9 any person licensed by the state of Washington to engage in the
10 practice of medicine and surgery, drugless treatment in any form,
11 dentistry, or pharmacy and it shall be unlawful for such person to
12 request, receive or allow, directly or indirectly, a rebate, refund,
13 commission, unearned discount or profit by means of a credit or other
14 valuable consideration in connection with the referral of patients to
15 any person, firm, corporation or association, or in connection with the
16 furnishings of medical, surgical or dental care, diagnosis, treatment
17 or service, on the sale, rental, furnishing or supplying of clinical
18 laboratory supplies or services of any kind, drugs, medication, or
19 medical supplies, or any other goods, services or supplies prescribed

1 for medical diagnosis, care or treatment. Ownership of a financial
2 interest in any firm, corporation or association which furnishes any
3 kind of clinical laboratory, kidney dialysis services, or other
4 services prescribed for medical, surgical, or dental diagnosis shall
5 not be prohibited under this section where (1) the referring
6 practitioner affirmatively discloses to the patient in writing, the
7 fact that such practitioner has a financial interest in such firm,
8 corporation, or association; and (2) the referring practitioner
9 provides the patient with a list of effective alternative facilities,
10 informs the patient that he or she has the option to use one of the
11 alternative facilities, and assures the patient that he or she will not
12 be treated differently by the referring practitioner if the patient
13 chooses one of the alternative facilities.

14 Any person violating the provisions of this section is guilty of a
15 misdemeanor.

16 **Sec. 2.** RCW 19.68.030 and 1965 ex.s. c 58 s 3 are each amended to
17 read as follows:

18 Subject to the exceptions in RCW 19.68.010, the license of any
19 person so licensed may be revoked or suspended if he has directly or
20 indirectly requested, received or participated in the division,
21 transference, assignment, rebate, splitting or refunding of a fee for,
22 or has directly or indirectly requested, received or profited by means
23 of a credit or other valuable consideration as a commission, discount
24 or gratuity in connection with the furnishing of medical, surgical or
25 dental care, diagnosis or treatment or service, including x-ray
26 examination and treatment, or for or in connection with the sale,
27 rental, supplying or furnishing of clinical laboratory service or
28 supplies, x-ray services or supplies, inhalation therapy service or
29 equipment, ambulance service, hospital or medical supplies,
30 physiotherapy or other therapeutic service or equipment, artificial
31 limbs, teeth or eyes, orthopedic or surgical appliances or supplies,
32 optical appliances, supplies or equipment, devices for aid of hearing,
33 drugs, medication or medical supplies or any other goods, services or
34 supplies prescribed for medical diagnosis, care or treatment, except
35 payment, not to exceed thirty-three and one-third percent of any fee

- 1 received for x-ray examination, diagnosis or treatment, to any hospital
- 2 furnishing facilities for such examination, diagnosis or treatment.

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