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**SENATE BILL 5216**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senators Benton and Stevens

Read first time 01/15/1999. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to podiatric physicians and surgeons; amending RCW  
2 18.71A.010, 18.71A.020, 18.71A.060, 18.57A.010, 18.57A.020, 18.57A.060,  
3 and 18.22.035; adding a new section to chapter 18.71A RCW; adding a new  
4 section to chapter 18.57A RCW; and creating a new section.

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

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

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

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

1 (1) "Physician assistant" means: (a) A person who is licensed by  
2 the commission to practice medicine to a limited extent only under the  
3 supervision of a physician as defined in chapter 18.71 RCW and who is  
4 academically and clinically prepared to provide health care services  
5 and perform diagnostic, therapeutic, preventative, and health  
6 maintenance services; and (b) a person who is currently licensed as a  
7 podiatric physician and surgeon as defined in chapter 18.22 RCW and who  
8 is licensed by the commission to practice medicine to a limited extent  
9 only under the supervision of a physician licensed under chapter 18.71  
10 RCW.

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

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

13 (4) "Secretary" means the secretary of health or the secretary's  
14 designee.

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

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

18 (1) The commission shall adopt rules fixing the qualifications and  
19 the educational and training requirements for licensure as a physician  
20 assistant or for those enrolled in any physician assistant training  
21 program. The requirements shall include completion of an accredited  
22 physician assistant training program approved by the commission and  
23 eligibility to take an examination approved by the commission, if the  
24 examination tests subjects substantially equivalent to the curriculum  
25 of an accredited physician assistant training program. Physician  
26 assistants licensed by the board of medical examiners as of June 7,  
27 1990, shall continue to be licensed. No additional training either  
28 academically or clinically shall be required of a person currently  
29 licensed as a podiatric physician and surgeon under chapter 18.22 RCW  
30 to become a physician assistant under this chapter.

31 (2)(a) The commission shall adopt rules governing the extent to  
32 which:

33 (i) Physician assistant students may practice medicine during  
34 training; and

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

37 (b) Such rules shall provide:

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

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

8 (3) Applicants for licensure shall file an application with the  
9 commission on a form prepared by the secretary with the approval of the  
10 commission, detailing the education, training, and experience of the  
11 physician assistant and such other information as the commission may  
12 require. The application shall be accompanied by a fee determined by  
13 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge  
14 of twenty-five dollars per year shall be charged on each license  
15 renewal or issuance of a new license to be collected by the department  
16 and deposited into the impaired physician account for physician  
17 assistant participation in the impaired physician program. Each  
18 applicant shall furnish proof satisfactory to the commission of the  
19 following:

20 (a) That the applicant has completed an accredited physician  
21 assistant program approved by the commission, or that the applicant is  
22 licensed as a podiatric physician and surgeon under chapter 18.22 RCW,  
23 and the applicant is eligible to take the examination approved by the  
24 commission;

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

26 (c) That the applicant is physically and mentally capable of  
27 practicing medicine as a physician assistant with reasonable skill and  
28 safety. The commission may require an applicant to submit to such  
29 examination or examinations as it deems necessary to determine an  
30 applicant's physical or mental capability, or both, to safely practice  
31 as a physician assistant.

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

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

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

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

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

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

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

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

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

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

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

27       (1) "Osteopathic physician's assistant" means: (a) A person who  
28 has satisfactorily completed a board-approved training program designed  
29 to prepare persons to practice osteopathic medicine to a limited  
30 extent; and (b) a person who is currently licensed as a podiatric  
31 physician and surgeon as defined in chapter 18.22 RCW and who is  
32 licensed by the commission to practice medicine to a limited extent  
33 only under the supervision of an osteopathic physician licensed under  
34 chapter 18.57 RCW;

35       (2) "Board" means the board of osteopathic medicine and surgery;  
36 and

37       (3) "Practice medicine" shall have the meaning defined in RCW  
38 18.57.001.

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

3       (1) The board shall adopt rules fixing the qualifications and the  
4 educational and training requirements for licensure as an osteopathic  
5 physician assistant or for those enrolled in any physician assistant  
6 training program. The requirements shall include completion of an  
7 accredited physician assistant training program approved by the board  
8 and eligibility to take an examination approved by the board, providing  
9 such examination tests subjects substantially equivalent to the  
10 curriculum of an accredited physician assistant training program. No  
11 additional training either academically or clinically shall be required  
12 of a person currently licensed as a podiatric physician and surgeon  
13 under chapter 18.22 RCW to become an osteopathic physician's assistant  
14 under this chapter.

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

16       (i) Physician assistant students may practice medicine during  
17 training; and

18       (ii) Physician assistants may practice after successful completion  
19 of a training course.

20       (b) Such rules shall provide:

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

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

31       (3) Applicants for licensure shall file an application with the  
32 board on a form prepared by the secretary with the approval of the  
33 board, detailing the education, training, and experience of the  
34 physician assistant and such other information as the board may  
35 require. The application shall be accompanied by a fee determined by  
36 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge  
37 of twenty-five dollars per year may be charged on each license renewal  
38 or issuance of a new license to be collected by the department of  
39 health for physician assistant participation in an impaired

1 practitioner program. Each applicant shall furnish proof satisfactory  
2 to the board of the following:

3 (a) That the applicant has completed an accredited physician  
4 assistant program approved by the board, or that the applicant is  
5 licensed as a podiatric physician and surgeon under chapter 18.22 RCW,  
6 and the applicant is eligible to take the examination approved by the  
7 board;

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

9 (c) That the applicant is physically and mentally capable of  
10 practicing osteopathic medicine as an osteopathic physician assistant  
11 with reasonable skill and safety. The board may require any applicant  
12 to submit to such examination or examinations as it deems necessary to  
13 determine an applicant's physical and/or mental capability to safely  
14 practice as an osteopathic physician assistant.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (4) Podiatrists shall not:

19 (a) Amputate the foot;

20 (b) Administer spinal anesthetic or any anesthetic that renders the  
21 patient unconscious; or

22 (c) Treat systemic conditions, except as authorized under chapter  
23 18.71A or 18.57A RCW.

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

26 From 2000 through 2004, the commission shall report to the  
27 legislature each December on the number of podiatric physicians and  
28 surgeons who apply and the number who are licensed as physician  
29 assistants.

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

32 From 2000 through 2004, the board shall report to the legislature  
33 each December on the number of podiatric physicians and surgeons who

1 apply and the number who are licensed as osteopathic physicians'  
2 assistants.

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