
SUBSTITUTE SENATE BILL 6273

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Winsley, Thibaudeau and Kohl-Welles)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to regulating health professions; amending RCW
2 18.130.160; adding a new section to chapter 70.41 RCW; and prescribing
3 penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41 RCW
6 to read as follows:

7 Hospitals shall post copies of a notice advising of the
8 whistleblower protections afforded in RCW 43.70.075 for reporting
9 concerns about improper quality of care provided by health care
10 professionals, in conspicuous places on its premises where notices to
11 affected employees are usually posted. The form of the notice shall be
12 approved by the department.

13 **Sec. 2.** RCW 18.130.160 and 2001 c 195 s 1 are each amended to read
14 as follows:

15 Upon a finding, after hearing, that a license holder or applicant
16 has committed unprofessional conduct or is unable to practice with
17 reasonable skill and safety due to a physical or mental condition, the
18 disciplining authority may consider the imposition of sanctions, taking

1 into account the arguments of the proceeding participants, including
2 other charges or sanctions, and issue an order providing for one or any
3 combination of the following:

- 4 (1) Revocation of the license;
- 5 (2) Suspension of the license for a fixed or indefinite term;
- 6 (3) Restriction or limitation of the practice;
- 7 (4) Requiring the satisfactory completion of a specific program of
8 remedial education or treatment;
- 9 (5) The monitoring of the practice by a supervisor approved by the
10 disciplining authority;
- 11 (6) Censure or reprimand;
- 12 (7) Compliance with conditions of probation for a designated period
13 of time;
- 14 (8) Payment of a fine for each violation of this chapter, not to
15 exceed five thousand dollars per violation. Funds received shall be
16 placed in the health professions account;
- 17 (9) Denial of the license request;
- 18 (10) Corrective action;
- 19 (11) Refund of fees billed to and collected from the consumer;
- 20 (12) A surrender of the practitioner's license in lieu of other
21 sanctions, which must be reported to the federal data bank.

22 Any of the actions under this section may be totally or partly
23 stayed by the disciplining authority. In determining what action is
24 appropriate, the disciplining authority must first consider what
25 sanctions are necessary to protect or compensate the public. Only
26 after such provisions have been made may the disciplining authority
27 consider and include in the order requirements designed to rehabilitate
28 the license holder or applicant. All costs associated with compliance
29 with orders issued under this section are the obligation of the license
30 holder or applicant.

31 The licensee or applicant may enter into a stipulated disposition
32 of charges that includes one or more of the sanctions of this section,
33 but only after a statement of charges has been issued and the licensee
34 has been afforded the opportunity for a hearing and has elected on the
35 record to forego such a hearing. The stipulation shall either contain
36 one or more specific findings of unprofessional conduct or inability to
37 practice, or a statement by the licensee acknowledging that evidence is
38 sufficient to justify one or more specified findings of unprofessional

1 conduct or inability to practice. The stipulation entered into
2 pursuant to this subsection shall be considered formal disciplinary
3 action for all purposes.

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