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**SUBSTITUTE SENATE BILL 6554**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Parlette, Keiser, Winsley and Thibaudeau; by request of Department of Health)

READ FIRST TIME 02/06/04.

1       AN ACT Relating to eliminating credentialing barriers for health  
2 professions; amending RCW 18.06.050, 18.29.190, 18.29.180, 18.34.070,  
3 18.79.160, 18.83.050, 18.83.070, 18.83.072, 18.83.082, and 18.83.170;  
4 adding a new section to chapter 18.79 RCW; and creating a new section.

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

6       NEW SECTION.   **Sec. 1.** The legislature finds that the health care  
7 work force shortage is contributing to the health care crisis. The  
8 legislature also finds that some unnecessary barriers exist that slow  
9 or prevent qualified applicants from becoming credentialed health care  
10 providers. The legislature further finds that eliminating these  
11 initial barriers to licensure will contribute to state initiatives  
12 directed toward easing the health care personnel shortage in  
13 Washington.

14       **Sec. 2.** RCW 18.06.050 and 1991 c 3 s 7 are each amended to read as  
15 follows:

16       Any person seeking to be examined shall present to the secretary at  
17 least forty-five days before the commencement of the examination:

1 (1) A written application on a form or forms provided by the  
2 secretary setting forth under affidavit such information as the  
3 secretary may require; and

4 (2) Proof that the candidate has:

5 (a) Successfully completed a course, approved by the secretary, of  
6 didactic training in basic sciences and acupuncture over a minimum  
7 period of two academic years. The training shall include such subjects  
8 as anatomy, physiology, (~~bacteriology,~~) microbiology, biochemistry,  
9 pathology, hygiene, and a survey of western clinical sciences. The  
10 basic science classes must be equivalent to those offered at the  
11 collegiate level. However, if the applicant is a licensed chiropractor  
12 under chapter 18.25 RCW or a naturopath licensed under chapter 18.36A  
13 RCW, the requirements of this subsection relating to basic sciences may  
14 be reduced by up to one year depending upon the extent of the  
15 candidate's qualifications as determined under rules adopted by the  
16 secretary;

17 (b) Successfully completed (~~a course, approved by the secretary,~~)  
18 five hundred hours of clinical training in acupuncture (~~over a minimum~~  
19 ~~period of one academic year. The training shall include a minimum of:~~  
20 ~~(i) Twenty nine quarter credits of supervised practice, consisting of~~  
21 ~~at least four hundred separate patient treatments involving a minimum~~  
22 ~~of one hundred different patients, and (ii) one hundred hours or nine~~  
23 ~~quarter credits of observation which shall include case presentation~~  
24 ~~and discussion)) that is approved by the secretary.~~

25 **Sec. 3.** RCW 18.29.190 and 1993 c 323 s 2 are each amended to read  
26 as follows:

27 (1) The department shall issue ((a)) an initial temporary license  
28 without the examination required by this chapter to any applicant who,  
29 as determined by the secretary:

30 (a) Holds a valid license in another state that allows the scope of  
31 practice in subsection (3) (a) through (j) of this section;

32 (b) Is currently engaged in active practice in another state. For  
33 the purposes of this section, "active practice" means five hundred  
34 sixty hours of practice in the preceding twenty-four months;

35 (c) Files with the secretary documentation certifying that the  
36 applicant:

1 (i) Has graduated from an accredited dental hygiene school approved  
2 by the secretary;

3 (ii) Has successfully completed the dental hygiene national board  
4 examination; and

5 (iii) Is licensed to practice in another state;

6 (d) Provides information as the secretary deems necessary  
7 pertaining to the conditions and criteria of the uniform disciplinary  
8 act, chapter 18.130 RCW;

9 (e) Demonstrates to the secretary a knowledge of Washington state  
10 law pertaining to the practice of dental hygiene, including the  
11 administration of legend drugs;

12 (f) Pays any required fees; and

13 (g) Meets requirements for AIDS education.

14 (2) The term of the initial temporary license issued under this  
15 section is eighteen months and it is (~~nonrenewable~~) renewable upon  
16 demonstration of successful passage of the examination for  
17 administering local anesthetic and nitrous oxide/oxygen analgesia.

18 (3) A person practicing with a temporary license granted under this  
19 section has the authority to perform hygiene procedures that are  
20 limited to:

21 (a) Oral inspection and measuring of periodontal pockets;

22 (b) Patient education in oral hygiene;

23 (c) Taking intra-oral and extra-oral radiographs;

24 (d) Applying topical preventive or prophylactic agents;

25 (e) Polishing and smoothing restorations;

26 (f) Oral prophylaxis and removal of deposits and stains from the  
27 surface of the teeth;

28 (g) Recording health histories;

29 (h) Taking and recording blood pressure and vital signs;

30 (i) Performing subgingival and supragingival scaling; and

31 (j) Performing root planing.

32 (4)(a) A person practicing with (~~a~~) an initial temporary license  
33 granted under this section may not perform the following dental hygiene  
34 procedures unless authorized in (b) or (c) of this subsection:

35 (i) Give injections of local anesthetic;

36 (ii) Place restorations into the cavity prepared by a licensed  
37 dentist and afterwards carve, contour, and adjust contacts and  
38 occlusion of the restoration;

1 (iii) Soft tissue curettage; or

2 (iv) Administer nitrous oxide/oxygen analgesia.

3 (b) A person licensed in another state who can demonstrate  
4 substantively equivalent licensing standards in the administration of  
5 local anesthetic may receive a temporary endorsement to administer  
6 local anesthesia.

7 (c) A person licensed in another state who can demonstrate  
8 substantively equivalent licensing standards in restorative procedures  
9 may receive a temporary endorsement for restorative procedures.

10 (5) A person practicing with a renewed temporary license granted  
11 under this section may not place restorations into a cavity prepared by  
12 a licensed dentist and afterwards carve, contour, and adjust contacts  
13 and occlusion of the restoration unless authorized in subsection (4)(b)  
14 or (c) of this section.

15 **Sec. 4.** RCW 18.29.180 and 1991 c 3 s 57 are each amended to read  
16 as follows:

17 The following practices, acts, and operations are excepted from the  
18 operation of this chapter:

19 (1) The practice of dental hygiene in the discharge of official  
20 duties by dental hygienists in the United States armed services, coast  
21 guard, public health services, veterans' bureau, or bureau of Indian  
22 affairs;

23 (2) Dental hygiene programs approved by the secretary and the  
24 practice of dental hygiene by students in dental hygiene programs  
25 approved by the secretary, when acting under the direction and  
26 supervision of persons licensed under chapter 18.29 or 18.32 RCW acting  
27 as instructors;

28 (3) The practice of dental hygiene by students in accredited dental  
29 hygiene educational programs when acting under the direction and  
30 supervision of instructors licensed under chapter 18.29 or 18.32 RCW.

31 **Sec. 5.** RCW 18.34.070 and 1991 c 3 s 76 are each amended to read  
32 as follows:

33 Any applicant for a license shall be examined if he or she pays an  
34 examination fee determined by the secretary as provided in RCW  
35 43.70.250 and certifies under oath that he or she:

36 (1) Is eighteen years or more of age; and

- 1 (2) Has graduated from an accredited high school; and  
2 (3) ~~((Is a citizen of the United States or has declared his or her  
3 intention of becoming such citizen in accordance with law; and  
4 +4))~~ Is of good moral character; and  
5 ~~((+5))~~ (4) Has either:  
6 (a) Had at least three years of apprenticeship training; or  
7 (b) Successfully completed a prescribed course in opticianry in a  
8 college or university approved by the secretary; or  
9 (c) Been principally engaged in practicing as a dispensing optician  
10 not in the state of Washington for five years.

11 **Sec. 6.** RCW 18.79.160 and 1994 sp.s. c 9 s 416 are each amended to  
12 read as follows:

13 (1) An applicant for a license to practice as a registered nurse  
14 shall submit to the commission:

- 15 (a) An attested written application on a department form;  
16 (b) ~~((Written))~~ An official ~~((evidence of a diploma from))~~  
17 transcript demonstrating graduation and successful completion of an  
18 approved ~~((school))~~ program of nursing; and  
19 (c) Any other official records specified by the commission.

20 (2) An applicant for a license to practice as an advanced  
21 registered nurse practitioner shall submit to the commission:

- 22 (a) An attested written application on a department form;  
23 (b) ~~((Written))~~ An official ~~((evidence of))~~ transcript  
24 demonstrating graduation and successful completion of an advanced  
25 registered nurse practitioner ~~((training))~~ program meeting criteria  
26 established by the commission; and  
27 (c) Any other official records specified by the commission.

28 (3) An applicant for a license to practice as a licensed practical  
29 nurse shall submit to the commission:

- 30 (a) An attested written application on a department form;  
31 (b) Written official evidence that the applicant is over the age of  
32 eighteen;  
33 (c) ~~((Written official evidence of a high school diploma or general  
34 education development certificate or diploma;~~

35 ~~(d) Written))~~ An official ~~((evidence of completion of))~~ transcript  
36 demonstrating graduation and successful completion of an approved  
37 practical nursing program, or its equivalent; and

1 ((e)) (d) Any other official records specified by the commission.

2 (4) At the time of submission of the application, the applicant for  
3 a license to practice as a registered nurse, advanced registered nurse  
4 practitioner, or licensed practical nurse must not be in violation of  
5 chapter 18.130 RCW or this chapter.

6 (5) The commission shall establish by rule the criteria for  
7 evaluating the education of all applicants.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 18.79 RCW  
9 to read as follows:

10 A licensed practical nurse with an active license who has completed  
11 the coursework of a nontraditional registered nurse program approved by  
12 the commission can obtain the required clinical experience when: (1)  
13 The experience is obtained under the immediate supervision of a  
14 registered nurse who agrees to act as the preceptor with the  
15 understanding that the licensed practical nurse is practicing under the  
16 preceptor's registered nurse license. The preceptor must have an  
17 unrestricted license with at least two years of clinical practice in  
18 the same type of practice setting where the preceptorship will occur;  
19 and (2) the experience is obtained within six months of completion of  
20 the approved nontraditional program.

21 **Sec. 8.** RCW 18.83.050 and 1994 c 35 s 2 are each amended to read  
22 as follows:

23 (1) The board shall adopt such rules as it deems necessary to carry  
24 out its functions.

25 (2) The board shall examine the qualifications of applicants for  
26 licensing under this chapter, to determine which applicants are  
27 eligible for licensing under this chapter and shall forward to the  
28 secretary the names of applicants so eligible.

29 (3) The board shall administer examinations to qualified applicants  
30 on at least an annual basis. The board shall determine the subject  
31 matter and scope of the examination(~~s and shall require both written~~  
32 ~~and oral examinations of each applicant~~), except as provided in RCW  
33 18.83.170. The board may allow applicants to take the ((written))  
34 examination upon the granting of their doctoral degree before  
35 completion of their internship for supervised experience.

1 (4) The board shall keep a complete record of its own proceedings,  
2 of the questions given in examinations, of the names and qualifications  
3 of all applicants, and the names and addresses of all licensed  
4 psychologists. The examination paper of such applicant shall be kept  
5 on file for a period of at least one year after examination.

6 (5) The board shall, by rule, adopt a code of ethics for  
7 psychologists which is designed to protect the public interest.

8 (6) The board may require that persons licensed under this chapter  
9 as psychologists obtain and maintain professional liability insurance  
10 in amounts determined by the board to be practicable and reasonably  
11 available.

12 **Sec. 9.** RCW 18.83.070 and 1995 c 198 s 11 are each amended to read  
13 as follows:

14 An applicant for a license as "psychologist" must submit proof to  
15 the board that:

16 (1) The applicant is of good moral character.

17 (2) The applicant holds a doctoral degree from a regionally  
18 accredited institution, obtained from an integrated program of graduate  
19 study in psychology as defined by rules of the board.

20 (3) The applicant has had no fewer than two years of supervised  
21 experience(~~(, at least one of which shall have been obtained subsequent~~  
22 ~~to the granting of the doctoral degree))~~). The board shall adopt rules  
23 defining the circumstances under which supervised experience shall  
24 qualify the candidate for licensure.

25 (4) The applicant has passed the (~~written or oral~~) examination or  
26 examinations(~~(, or both, as prescribed))~~ required by the board.

27 Any person holding a valid license to practice psychology in the  
28 state of Washington on June 7, 1984, shall be considered licensed under  
29 this chapter.

30 **Sec. 10.** RCW 18.83.072 and 1996 c 191 s 65 are each amended to  
31 read as follows:

32 (1) Examination of applicants shall be held in Olympia, Washington,  
33 or at such other place as designated by the secretary, at least  
34 annually at such times as the board may determine.

35 (2) (~~Any applicant shall have the right to discuss with the board~~  
36 ~~his or her performance on the examination.~~

1       ~~(3)~~) Any applicant who fails to make a passing grade on the  
2 examination may be allowed to retake the examination. Any applicant  
3 who fails the examination a second time must obtain special permission  
4 from the board to take the examination again.

5       ~~((4))~~ (3) The board may approve an examination prepared or  
6 administered by a private testing agency or association of licensing  
7 authorities.

8       **Sec. 11.** RCW 18.83.082 and 1996 c 191 s 67 are each amended to  
9 read as follows:

10       A person, not licensed in this state, who wishes to perform  
11 practices under the provisions of this chapter for a period not to  
12 exceed ninety days within a calendar year, must petition the board for  
13 a temporary permit to perform such practices. If the person is  
14 licensed or certified in another state deemed by the board to have  
15 standards equivalent to this chapter, or if the person is a member of  
16 a professional organization and holds a certificate deemed by the board  
17 to meet standards equivalent to this chapter, a permit may be issued.  
18 No fee shall be charged for such temporary permit.

19       **Sec. 12.** RCW 18.83.170 and 1996 c 191 s 70 are each amended to  
20 read as follows:

21       Upon compliance with administrative procedures, administrative  
22 requirements, and fees determined under RCW 43.70.250 and 43.70.280,  
23 the board may grant a license, without (~~written~~) oral examination, to  
24 any applicant who has not previously failed any examination held by the  
25 board of psychology of the state of Washington and furnishes evidence  
26 satisfactory to the board that the applicant:

27       (1) Holds a doctoral degree with primary emphasis on psychology  
28 from an accredited college or university; and

29       (2)(a) Is licensed or certified to practice psychology in another  
30 state or country in which the requirements for such licensing or  
31 certification are, in the judgment of the board, essentially equivalent  
32 to those required by this chapter and the rules and regulations of the  
33 board. Such individuals must have been licensed or certified in  
34 another state for a period of at least two years; or

35       ~~((3))~~ (b) Is a diplomate in good standing of the American Board  
36 of Examiners in Professional Psychology; or



1        (c) Is a member of a professional organization and holds a  
2 certificate deemed by the board to meet standards equivalent to this  
3 chapter.

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