

SENATE BILL REPORT

SB 5636

As Passed Senate, February 6, 2006

Title: An act relating to imposition of sanctions on health professionals.

Brief Description: Revising provision for imposition of sanctions on health professionals.

Sponsors: Senators Keiser, Benson, Franklin, Parlette, Kline, Thibaudeau and Kastama.

Brief History:

Committee Activity: Health & Long-Term Care: 2/10/05, 2/21/05 [DP].

Passed Senate: 3/9/05, 47-0; 2/6/06, 44-0.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Deccio, Ranking Minority Member; Benson, Brandland, Franklin, Johnson, Kastama, Kline, Parlette and Poulsen.

Staff: Edith Rice (786-7444)

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.

After investigating a complaint or report of unprofessional conduct, the Secretary or the board or commission must decide what disciplinary action is warranted by the evidence. The case may be closed without further action, pursued through an informal action in the form of a statement of allegations, or pursued through a formal action in the form of a statement of charges.

Upon a finding of an act of unprofessional conduct, the Secretary or the board or commission decides which sanctions should be ordered. These sanctions include: license revocation, suspension, restriction, remedial education or treatment, monitoring of a practice, censure, probation, fine, license denial, corrective action, refund of billings, and surrender of the license. In the selection of the sanction, the first consideration is what is necessary to protect or compensate the public, and the second consideration is what may rehabilitate the license holder or applicant.

Summary of Bill: The disciplining authority may take into account: (1) any prior findings of fact under the Uniform Disciplinary Act; (2) any previous stipulations to informal dispositions under the Uniform Disciplinary Act; and (3) any action taken by other state disciplining authorities when determining the imposition of sanctions.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This will improve patient safety by ensuring that all relevant information, including prior information, may be considered.

Testimony Against: None.

Who Testified: PRO: Laurie Jenkins, Department of Health.