
HOUSE BILL 1850

State of Washington

59th Legislature

2005 Regular Session

By Representatives Schual-Berke and Cody

Read first time 02/08/2005. Referred to Committee on Health Care.

1 AN ACT Relating to retired volunteer medical workers; amending RCW
2 43.70.110 and 43.70.250; adding a new section to chapter 18.130 RCW;
3 and adding a new section to chapter 4.24 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.130 RCW
6 to read as follows:

7 (1) As used in this section, "emergency or disaster" has the same
8 meaning as in RCW 38.52.010.

9 (2) The secretary shall issue a retired volunteer medical worker
10 license to any applicant who:

11 (a) Has held an active license issued by a disciplining authority
12 under RCW 18.130.040 no more than ten years prior to applying for an
13 initial license under this section;

14 (b) Does not have any current restrictions on the ability to obtain
15 a license for violations of this chapter;

16 (c) Submits proof of registration with a local community
17 organization that is registered with the United States department of
18 health and human services to provide medical services during an

1 emergency or disaster or local public health jurisdiction program to
2 coordinate responses to an emergency or disaster.

3 (3) License holders under this section must be supervised and may
4 only perform duties corresponding to the scope of practice associated
5 with the active license that they had prior to retirement.

6 (4) The department may adopt rules and policies as necessary to
7 implement this section.

8 (5) The department shall establish standards for the renewal of
9 licenses issued under this section, including continuing competency
10 requirements.

11 (6) License holders under this section are subject to the
12 provisions of this chapter as they may apply to the issuance and denial
13 of credentials, unauthorized practice, and discipline for acts of
14 unprofessional conduct.

15 (7) Nothing in this section precludes a health care professional
16 who holds an active license to provide medical services during an
17 emergency or disaster.

18 (8) The cost of regulatory activities for license holders under
19 this section must be borne in equal proportion by all health care
20 providers holding a license issued by a disciplining authority under
21 RCW 18.130.040.

22 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW
23 to read as follows:

24 A person who holds a retired volunteer medical worker license
25 issued under section 1 of this act who provides assistance during an
26 emergency or disaster, as defined in RCW 38.52.010, while at the scene,
27 an alternative care site, a hospital site, en route to such a site, or
28 while participating in an approved training for an emergency or
29 disaster, without compensation or the expectation of compensation and
30 within the scope of their assigned duties and under the direction of
31 the local organization with which he or she has been registered, shall
32 not be liable for civil damages resulting from any act or omission in
33 the rendering of such assistance or in transporting such persons, other
34 than acts or omissions constituting gross negligence or willful or
35 wanton misconduct.

1 **Sec. 3.** RCW 43.70.110 and 1993 sp.s. c 24 s 918 are each amended
2 to read as follows:

3 (1) The secretary shall charge fees to the licensee for obtaining
4 a license. After June 30, 1995, municipal corporations providing
5 emergency medical care and transportation services pursuant to chapter
6 18.73 RCW shall be exempt from such fees, provided that such other
7 emergency services shall only be charged for their pro rata share of
8 the cost of licensure and inspection, if appropriate. The secretary
9 may waive the fees when, in the discretion of the secretary, the fees
10 would not be in the best interest of public health and safety, or when
11 the fees would be to the financial disadvantage of the state.

12 (2) Except for the cost of regulating retired volunteer medical
13 workers in accordance with section 1 of this act, fees charged shall be
14 based on, but shall not exceed, the cost to the department for the
15 licensure of the activity or class of activities and may include costs
16 of necessary inspection.

17 (3) Department of health advisory committees may review fees
18 established by the secretary for licenses and comment upon the
19 appropriateness of the level of such fees.

20 **Sec. 4.** RCW 43.70.250 and 1996 c 191 s 1 are each amended to read
21 as follows:

22 It shall be the policy of the state of Washington that the cost of
23 each professional, occupational, or business licensing program be fully
24 borne by the members of that profession, occupation, or business. The
25 secretary shall from time to time establish the amount of all
26 application fees, license fees, registration fees, examination fees,
27 permit fees, renewal fees, and any other fee associated with licensing
28 or regulation of professions, occupations, or businesses administered
29 by the department. In fixing said fees, the secretary shall set the
30 fees for each program at a sufficient level to defray the costs of
31 administering that program and the cost of regulating licensed
32 volunteer medical workers in accordance with section 1 of this act.
33 All such fees shall be fixed by rule adopted by the secretary in
34 accordance with the provisions of the administrative procedure act,
35 chapter 34.05 RCW.

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