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SENATE BILL 5764

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State of Washington                      59th Legislature                      2005 Regular Session

By Senators Weinstein, Brandland, Rockefeller and Rasmussen

Read first time 02/04/2005. Referred to Committee on Judiciary.

1            AN ACT Relating to special immunities; and amending RCW 4.24.260.

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

3            **Sec. 1.** RCW 4.24.260 and 1994 sp.s. c 9 s 701 are each amended to  
4 read as follows:

5            (~~Physicians licensed under chapter 18.71 RCW, dentists licensed~~  
6 ~~under chapter 18.32 RCW, and pharmacists licensed under chapter 18.64~~  
7 ~~RCW)) Any member of a health profession listed under RCW 18.130.040  
8 who, in good faith, makes a report, files charges, or presents evidence  
9 against another member of (~~their~~) a health profession based on the  
10 claimed (~~incompetency or gross misconduct~~) unprofessional conduct as  
11 provided in RCW 18.130.180 or inability to practice with reasonable  
12 skill and safety to consumers by reason of any physical or mental  
13 condition as provided in RCW 18.130.170 of such person before the  
14 (~~medical quality assurance commission established under chapter 18.71~~  
15 ~~RCW, in a proceeding under chapter 18.32 RCW, or to the board of~~  
16 ~~pharmacy under RCW 18.64.160)) agency, board, or commission responsible  
17 for disciplinary activities for the person's profession under chapter  
18 18.130 RCW, shall be immune from civil action for damages arising out~~~~

1 of such activities. A person prevailing upon the good faith defense  
2 provided for in this section is entitled to recover expenses and  
3 reasonable attorneys' fees incurred in establishing the defense.

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