

# HOUSE BILL REPORT

## SHB 1765

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### As Passed Legislature

**Title:** An act relating to the license surcharge for the impaired physician program.

**Brief Description:** Concerning the license surcharge for the impaired physician program.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Moeller, Campbell and Morrell).

#### **Brief History:**

##### **Committee Activity:**

Health Care & Wellness: 2/10/09, 2/19/09 [DPS];

Health & Human Services Appropriations: 2/25/09 [DPS(HCW)].

##### **Floor Activity**

Passed House: 3/5/09, 91-6.

Passed Senate: 4/3/09, 38-7.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Increases the surcharge the Department of Health may charge physicians and physician assistants for the impaired physician program.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Driscoll, Vice Chair; Ericksen, Ranking Minority Member; Bailey, Campbell, Clibborn, Green, Herrera, Hinkle, Kelley, Moeller, Morrell and Pedersen.

**Staff:** Jim Morishima (786-7191)

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### HOUSE COMMITTEE ON HEALTH & HUMAN SERVICES APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Pettigrew, Chair; Seaquist, Vice Chair; Appleton, Cody, Dickerson, Johnson, Miloscia, Morrell, O'Brien, Roberts, Walsh and Wood.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Schmick, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Ericksen.

**Staff:** Chris Blake (786-7392)

**Background:**

The Medical Quality Assurance Commission (MQAC) operates, by contract, an impaired physician program in which both physicians and physician assistants may participate.

The Department of Health (DOH) is authorized to include the following in the program:

- entering into relationships with professionals who provide either evaluation or treatment services;
- receiving and assessing reports of suspected impairment;
- intervening in cases of verified impairment, or in cases where there is reasonable cause to suspect impairment;
- referring impaired physicians, or physician assistants, for evaluation or treatment;
- monitoring the treatment and rehabilitation of impaired physicians and physician assistants;
- providing monitoring, continuing treatment, and rehabilitative support;
- providing prevention and education services; and
- providing other activities as agreed by the MQAC and the contracting entity.

As part of their annual fees, physicians and physician assistants are assessed a surcharge to fund this program of \$35 for physicians and \$25 for physician assistants. The surcharge is deposited into the Impaired Physician Account to be used solely for the implementation of the impaired physician program.

**Summary of Substitute Bill:**

The Medical Quality Assurance Commission is required to increase the surcharge for the impaired physician program to \$50. All funds in the Impaired Physician Account must be paid to the contract entity within 60 days of deposit.

**Appropriation:** None.

**Fiscal Note:** Requested on February 22, 2009.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony (Health Care & Wellness):**

(In support) The impaired physician program is an important program. It gets physicians into treatment before they can do harm, saves careers, and saves lives. Washington has one of the

strongest impaired physician programs in the nation. Due to factors such as increases in mandatory reporting, the costs of the program are increasing with no corresponding increase in revenue. This bill would increase the surcharge, which funds this program.

(Opposed) None.

**Staff Summary of Public Testimony (Health & Human Services Appropriations):**

(In support) The Impaired Physician Program has saved lives and benefited numerous health care providers by making addiction treatment available to them. The program has grown significantly as well as the need for these resources. This bill is necessary to keep up with the caseload.

(Opposed) None.

**Persons Testifying (Health Care & Wellness):** Representative Moeller, prime sponsor; Mick Oreskovich, Washington Physicians Health Program; and Carl Nelson, Washington State Medical Association.

**Persons Testifying (Health & Human Services Appropriations):** Representative Moller, prime sponsor; and Carl Nelson, Washington State Medical Association.

**Persons Signed In To Testify But Not Testifying (Health Care & Wellness):** None.

**Persons Signed In To Testify But Not Testifying (Health & Human Services Appropriations):** None.