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HOUSE BILL 1765

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State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Moeller, Campbell, and Morrell

Read first time 01/28/09. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to the license surcharge for the impaired physician  
2 program; and amending RCW 18.71.310 and 18.71A.020.

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

4            **Sec. 1.** RCW 18.71.310 and 2001 c 109 s 1 are each amended to read  
5 as follows:

6            (1) The commission shall enter into a contract with the entity to  
7 implement an impaired physician program. The commission may enter into  
8 a contract with the entity for up to six years in length. The impaired  
9 physician program may include any or all of the following:

10            (a) Entering into relationships supportive of the impaired  
11 physician program with professionals who provide either evaluation or  
12 treatment services, or both;

13            (b) Receiving and assessing reports of suspected impairment from  
14 any source;

15            (c) Intervening in cases of verified impairment, or in cases where  
16 there is reasonable cause to suspect impairment;

17            (d) Upon reasonable cause, referring suspected or verified impaired  
18 physicians for evaluation or treatment;

1 (e) Monitoring the treatment and rehabilitation of impaired  
2 physicians including those ordered by the commission;

3 (f) Providing monitoring and continuing treatment and  
4 rehabilitative support of physicians;

5 (g) Performing such other activities as agreed upon by the  
6 commission and the entity; and

7 (h) Providing prevention and education services.

8 (2) A contract entered into under subsection (1) of this section  
9 shall be financed by a surcharge of not less than twenty-five and not  
10 more than ~~((thirty-five))~~ fifty dollars per year on each license  
11 renewal or issuance of a new license to be collected by the department  
12 of health from every physician and surgeon licensed under this chapter  
13 in addition to other license fees. These moneys shall be placed in the  
14 impaired physician account to be used solely for the implementation of  
15 the impaired physician program.

16 (3) The department of health may not withhold any part of the  
17 surcharge established in this section or assess any fees related to the  
18 collection and administration of the impaired physician program.

19 **Sec. 2.** RCW 18.71A.020 and 1999 c 127 s 1 are each amended to read  
20 as follows:

21 (1) The commission shall adopt rules fixing the qualifications and  
22 the educational and training requirements for licensure as a physician  
23 assistant or for those enrolled in any physician assistant training  
24 program. The requirements shall include completion of an accredited  
25 physician assistant training program approved by the commission and  
26 within one year successfully take and pass an examination approved by  
27 the commission, if the examination tests subjects substantially  
28 equivalent to the curriculum of an accredited physician assistant  
29 training program. An interim permit may be granted by the department  
30 of health for one year provided the applicant meets all other  
31 requirements. Physician assistants licensed by the board of medical  
32 examiners, or the medical quality assurance commission as of July 1,  
33 1999, shall continue to be licensed.

34 (2)(a) The commission shall adopt rules governing the extent to  
35 which:

36 (i) Physician assistant students may practice medicine during  
37 training; and

1 (ii) Physician assistants may practice after successful completion  
2 of a physician assistant training course.

3 (b) Such rules shall provide:

4 (i) That the practice of a physician assistant shall be limited to  
5 the performance of those services for which he or she is trained; and

6 (ii) That each physician assistant shall practice medicine only  
7 under the supervision and control of a physician licensed in this  
8 state, but such supervision and control shall not be construed to  
9 necessarily require the personal presence of the supervising physician  
10 or physicians at the place where services are rendered.

11 (3) Applicants for licensure shall file an application with the  
12 commission on a form prepared by the secretary with the approval of the  
13 commission, detailing the education, training, and experience of the  
14 physician assistant and such other information as the commission may  
15 require. The application shall be accompanied by a fee determined by  
16 the secretary as provided in RCW 43.70.250 and 43.70.280. A surcharge  
17 of not less than twenty-five and not more than fifty dollars per year  
18 shall be charged on each license renewal or issuance of a new license  
19 to be collected by the department and deposited into the impaired  
20 physician account for physician assistant participation in the impaired  
21 physician program. Each applicant shall furnish proof satisfactory to  
22 the commission of the following:

23 (a) That the applicant has completed an accredited physician  
24 assistant program approved by the commission and is eligible to take  
25 the examination approved by the commission;

26 (b) That the applicant is of good moral character; and

27 (c) That the applicant is physically and mentally capable of  
28 practicing medicine as a physician assistant with reasonable skill and  
29 safety. The commission may require an applicant to submit to such  
30 examination or examinations as it deems necessary to determine an  
31 applicant's physical or mental capability, or both, to safely practice  
32 as a physician assistant.

33 (4) The commission may approve, deny, or take other disciplinary  
34 action upon the application for license as provided in the Uniform  
35 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed as  
36 determined under RCW 43.70.250 and 43.70.280. The commission may  
37 authorize the use of alternative supervisors who are licensed either  
38 under chapter 18.57 or 18.71 RCW.

1       (5) The department of health may not withhold any part of the  
2 surcharge established in this section or assess any fees related to the  
3 collection and administration of the impaired physician program.

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