

HB 2351 - H AMD 637

By Representative Tarleton

ADOPTED 02/13/2014

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.70 RCW
4 to read as follows:

5 (1) Persons licensed as health care professionals in another state
6 or territory of the United States or the District of Columbia, but not
7 licensed by a disciplining authority specified in RCW 18.130.040, may
8 practice in this state on a limited voluntary basis only as provided in
9 this section.

10 (2) The volunteer health care professional's license must be for a
11 profession substantially equivalent to a profession regulated by a
12 disciplining authority listed in RCW 18.130.040.

13 (3) At least ten working days prior to the first day of volunteer
14 practice, the volunteer health care professional must submit to the
15 department an attestation that includes, but is not limited to, the
16 following:

17 (a) A confirmation that the health care professional holds an
18 active license to practice in any state or territory of the United
19 States or the District of Columbia;

20 (b) A confirmation that the health care professional is not
21 presently subject to any disciplinary action or investigation for
22 criminal or professional misconduct in any jurisdiction;

23 (c) An acknowledgment that the health care professional understands
24 he or she may perform only within the relevant professional scope of
25 practice permitted under Washington law, or state of licensure,
26 whichever is more restrictive;

27 (d) A confirmation that the health care professional has not
28 volunteered in Washington for more than thirty days in the current
29 calendar year;

1 (e) The contact information of the organization sponsoring the
2 medical clinic or health care event, if any; and

3 (f) Anticipated volunteer practice dates.

4 (4) The attestation must be made on a form established by the
5 secretary.

6 (5) Neither the volunteer health care professional nor the
7 organization sponsoring a medical clinic or health care event, if any,
8 may charge for any time or services performed in Washington. However,
9 organizations sponsoring a medical clinic or health care event may pay
10 or reimburse the volunteer health care professional for actual incurred
11 travel costs.

12 (6) No health care professional permitted to practice in Washington
13 under this section may volunteer more than thirty days in any calendar
14 year.

15 (7) Any organization sponsoring a medical clinic or health care
16 event using the services of any volunteer health care professional
17 permitted to practice under this section must:

18 (a) Independently verify each requirement in subsection (3) of this
19 section for each volunteer health care professional and retain proof of
20 verification for two years after the last day of the medical clinic or
21 health care event;

22 (b) Maintain the health care records of all patients evaluated or
23 treated by a volunteer health care professional in compliance with
24 chapter 70.02 RCW; and

25 (c) Ensure the health care records of all patients evaluated or
26 treated by a volunteer health care professional are accessible to
27 future health care professionals, if needed, in compliance with chapter
28 70.02 RCW.

29 (8) This section does not create any civil liability on the part of
30 the state or any state agency, officer, employee, or agent.

31 (9) This section does not apply to the practice of health care
32 professionals under chapter 38.10 or 38.52 RCW or under an agreement
33 authorized by the United States congress for emergency management
34 assistance."

35 Correct the title.

EFFECT: (1) Changes the 30-day notice requirement for volunteers'

attestations to 10 working days.

(2) Removes the provision for an attestation to be submitted after the enumerated deadline during a state of emergency.

(3) Removes the provision allowing volunteers to have their travel costs reimbursed during a state of emergency.

(4) Removes the provision allowing volunteer health care professionals to practice more than thirty days in a calendar year in response to a declared state of emergency.

(5) Changes the content of the acknowledgment that the professional must submit; instead of acknowledging that he or she may not perform outside of the scope permitted under Washington law, the professional must acknowledge that he or she may perform only within the scope allowed in Washington or his or her state of licensure, whichever is more restrictive.

(6) Ensures that all health care records are managed in accordance with chapter 70.02 RCW.

(7) Clarifies that the new section does not apply to emergency workers.

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