

# FINAL BILL REPORT

## EHB 2351

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Synopsis as Enacted

**Brief Description:** Concerning the practice of out-of-state health care professionals volunteering in Washington.

**Sponsors:** Representatives Tarleton, Harris, Cody, Schmick, Walkinshaw, Riccelli, Ryu, Morrell, Roberts, Zeiger and Freeman.

**House Committee on Health Care & Wellness**  
**Senate Committee on Health Care**

### **Background:**

#### Licenses Required to Practice Health Care in Washington.

A health care practitioner may not practice in Washington without a valid license to do so.

#### Retired Active Licenses.

An individual credentialed by a disciplining authority in Washington who is practicing only in emergency or intermittent circumstances may hold a retired active credential.

In order to obtain a retired active credential, a practitioner must do the following:

- submit a letter notifying the Department of Health of the intent to practice only on an intermittent or emergency basis; and
- meet the following criteria:
  - hold an active Washington credential in good standing; and
  - either will practice no more than 90 days each year in Washington or will practice only in emergency circumstances such as earthquakes, floods, times of declared war, or other states of emergency.

#### Immunity for Health Care Delivered in Community Health Care Settings.

A health care provider licensed in Washington who provides, without compensation, health care services in a clinic or other health facility that provides free health care to the public is immune from civil liability, other than for gross negligence or willful or wanton misconduct.

### **Summary:**

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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.*

Health care professionals who are licensed in other states, but not in Washington, may practice in Washington on a limited voluntary basis. The volunteer health care professional's profession must be substantially similar to a profession regulated by a Washington disciplining authority. The volunteer health professional may not practice in Washington for more than 30 days. In order to apply to be a voluntary health care professional, the applicant must submit the following at least 10 working days prior to the first day of volunteer practice:

- a confirmation that the health care professional holds an active license in another state or United States territory;
- a confirmation that the applicant is not subject to any disciplinary action or under investigation for criminal or professional misconduct;
- an acknowledgement that the applicant understands he or she may not perform any activity outside the relevant professional scope of practice in Washington, or the relevant scope of practice in his or her state of licensure, whichever is more restrictive;
- a confirmation that the applicant has not volunteered in Washington for more than 30 days in the current calendar year; and
- the contact information of the organization sponsoring the medical clinic or health care event and the volunteer practice dates.

Neither volunteer health care professionals nor their sponsoring organizations may charge for any time or services performed in Washington. The organizations may reimburse the volunteer health care professionals for incurred travel costs.

Organizations utilizing volunteer health care professionals must verify each application requirement and retain proof of verification for two years after the last day of the medical clinic or event. All health care records of patients evaluated or treated by volunteer health care professionals must be maintained and kept accessible for future health care professionals.

The provisions allowing out-of-state, volunteer health care professionals to practice in Washington do not create any civil liability on the part of the state or any state agency, officer, employee, or agent. The provisions also do not apply to health care professionals operating under emergency management assistance.

**Votes on Final Passage:**

House	98	0
Senate	49	0

**Effective:** June 12, 2014