

SENATE BILL REPORT

EHB 2351

As Reported by Senate Committee On:
Health Care, February 27, 2014

Title: An act relating to volunteer health care professionals licensed in a foreign jurisdiction.

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.

Brief History: Passed House: 2/13/14, 98-0.

Committee Activity: Health Care: 2/25/14, 2/27/14 [DP].

SENATE COMMITTEE ON HEALTH CARE

Majority Report: Do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Pedersen, Ranking Member; Angel, Bailey, Cleveland, Keiser and Parlette.

Staff: Bonnie Kim (786-7316)

Background: Washington State requires 26 health care professions to adhere to licensure or certification requirements to practice in the state. The Secretary of Health (Secretary) shares licensure and disciplinary responsibilities with 16 disciplining authorities depending on an individual's profession.

In certain circumstances, individuals may practice a regulated health care profession on a limited basis in Washington without an active valid license. For example, retired practitioners may apply for a retired active credential from the Department of Health (DOH) to practice a regulated health care profession in emergency or intermittent circumstances. In addition, the Secretary may license volunteer medical workers who have retired within the past ten years to practice during a declared emergency or when activated by a local emergency services organization. Other volunteer emergency workers registered with local emergency departments or the Department of Military Affairs may also provide limited assistance or transportation during a state of emergency.

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.

Summary of Bill: Health care professionals who are licensed in other states but not in Washington may volunteer in Washington for up to 30 days per calendar year. The volunteer's profession must be substantially similar to a health care profession regulated by a Washington disciplining authority. All volunteer health care professionals must submit the following information to DOH at least ten working days prior to the first day of volunteer practice:

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

Neither volunteer health care professionals nor sponsoring organizations may charge for time or services performed in Washington. The organizations may, however, reimburse the volunteer for actual incurred travel costs. Organizations involving volunteer health care professionals must verify each application requirement independently and retain proof of verification for two years after the last day of the medical clinic or event. The organization must also maintain health care records of patients evaluated or treated by volunteer health care professionals in a manner consistent with Washington's confidentiality and disclosure laws.

Any civil liability on the part of the state or any state agency, officer, employee, or agent is not created and does not apply to health care professionals operating under emergency management assistance.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is at the request of the Seattle Center and Remote Area Medical and allows the organizations to use out-of-state volunteers, if needed, during a four-day long, free medical clinic event this October. The clinic will serve over 1000 patients per day and will require approximately 300 providers per day. Volunteer health care practitioners provide access to underserved populations.

OTHER: The Nursing Commission has concerns regarding disciplinary jurisdiction and the lack of the adequate time to perform license and background checks.

Persons Testifying: PRO: Representative Tarleton, prime sponsor; Julia Colson, Seattle Center; Shalom Sands, WA State Nurses Assn.

OTHER: Paula Meyer, Nursing Care Quality Assurance Commission.