
SENATE BILL 5773

State of Washington

64th Legislature

2015 Regular Session

By Senators Conway, Frockt, and Bailey; by request of Department of Health

Read first time 02/02/15. Referred to Committee on Health Care.

1 AN ACT Relating to the requirements of allopathic physician
2 licensure; amending RCW 18.71.050, 18.71.055, and 18.71.095; adding a
3 new section to chapter 18.71 RCW; and repealing RCW 18.71.051.

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

5 **Sec. 1.** RCW 18.71.050 and 1994 sp.s. c 9 s 307 are each amended
6 to read as follows:

7 (1) Each applicant (~~who has graduated from a school of medicine~~
8 ~~located in any state, territory, or possession of the United States,~~
9 ~~the District of Columbia, or the Dominion of Canada,)) shall file an~~
10 application for licensure with the commission on a form prepared by
11 the secretary with the approval of the commission or another
12 commission-approved method. Each applicant shall furnish proof
13 satisfactory to the commission of the following:

14 (a) That the applicant has attended and graduated from a school
15 of medicine approved by the commission. The commission must adopt by
16 rule the list of commission-approved medical schools;

17 (b) Except as provided in section 3 of this act, that the
18 applicant has successfully completed (~~two years of~~) a postgraduate
19 medical training (~~in a~~) program acceptable to the commission(~~7~~
20 ~~provided that applicants graduating before July 28, 1985, may~~
21 ~~complete only one year of postgraduate medical training)). The~~

1 commission must adopt by rule the list of commission-approved
2 postgraduate medical training programs as defined by their respective
3 accrediting bodies;

4 (c) That the applicant has successfully completed the exam
5 requirements set forth by the commission by rule;

6 (d) That the applicant, if a graduate of a medical school outside
7 of the United States, the District of Columbia, or the Dominion of
8 Canada, has completed the certification process with the educational
9 commission for foreign medical graduates;

10 (e) That the applicant has the ability to read, write, speak,
11 understand, and be understood in the English language at a level
12 acceptable for performing competent medical care in all practice
13 settings;

14 ~~((e))~~ (f) That the applicant is of good moral character; and

15 ~~((d))~~ (g) That the applicant is physically and mentally capable
16 of safely carrying on the practice of medicine. The commission may
17 require any applicant to submit to such examination or examinations
18 as it deems necessary to determine an applicant's physical and/or
19 mental capability to safely practice medicine.

20 (2) Nothing in this section shall be construed as prohibiting the
21 commission from requiring such additional information from applicants
22 as it deems necessary. The issuance and denial of licenses are
23 subject to chapter 18.130 RCW, the Uniform Disciplinary Act.

24 **Sec. 2.** RCW 18.71.055 and 1996 c 178 s 5 are each amended to
25 read as follows:

26 The commission may approve any school of medicine which is
27 located in any state, territory, or possession of the United States,
28 the District of Columbia, ~~((or in))~~ the Dominion of Canada, or other
29 country provided that it:

30 (1) Requires collegiate instruction which includes courses deemed
31 by the commission to be prerequisites to medical education;

32 (2) Provides adequate instruction in the following subjects:
33 Anatomy, biochemistry, microbiology and immunology, pathology,
34 pharmacology, physiology, anaesthesiology, dermatology, gynecology,
35 internal medicine, neurology, obstetrics, ophthalmology, orthopedic
36 surgery, otolaryngology, pediatrics, physical medicine and
37 rehabilitation, preventive medicine and public health, psychiatry,
38 radiology, surgery, and urology, and such other subjects determined
39 by the commission;

1 (3) Provides clinical instruction in hospital wards and
2 outpatient clinics under guidance.

3 Approval may be withdrawn by the commission at any time a medical
4 school ceases to comply with one or more of the requirements of this
5 section.

6 (4) Nothing in this section shall be construed to authorize the
7 commission to approve a school of osteopathic medicine and surgery,
8 or osteopathic medicine, for purposes of qualifying an applicant to
9 be licensed under this chapter by direct licensure, reciprocity, or
10 otherwise.

11 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.71
12 RCW to read as follows:

13 The commission may grant a license to an applicant upon a finding
14 by the commission that, based on the applicant's exceptional
15 education, training, and practice credentials, the applicant's
16 practice in the state would benefit the public welfare. Individually
17 considered applicants must submit an application as described in this
18 chapter and undergo the same background check processes required of
19 all other applicants for licensure. The commission shall adopt rules
20 regarding qualifications that may be considered exceptional.

21 **Sec. 4.** RCW 18.71.095 and 2001 c 114 s 1 are each amended to
22 read as follows:

23 The commission may, without examination, issue a limited license
24 to persons who possess the qualifications set forth herein:

25 (1) The commission may, upon the written request of the secretary
26 of the department of social and health services or the secretary of
27 corrections, issue a limited license to practice medicine in this
28 state to persons who have been accepted for employment by the
29 department of social and health services or the department of
30 corrections as physicians; who are licensed to practice medicine in
31 another state of the United States or in the country of Canada or any
32 province or territory thereof; and who meet all of the qualifications
33 for licensure set forth in RCW 18.71.050.

34 Such license shall permit the holder thereof to practice medicine
35 only in connection with patients, residents, or inmates of the state
36 institutions under the control and supervision of the secretary of
37 the department of social and health services or the department of
38 corrections.

1 (2) The commission may issue a limited license to practice
2 medicine in this state to persons who have been accepted for
3 employment by a county or city health department as physicians; who
4 are licensed to practice medicine in another state of the United
5 States or in the country of Canada or any province or territory
6 thereof; and who meet all of the qualifications for licensure set
7 forth in RCW 18.71.050.

8 Such license shall permit the holder thereof to practice medicine
9 only in connection with his or her duties in employment with the city
10 or county health department.

11 (3) Upon receipt of a completed application showing that the
12 applicant meets all of the requirements for licensure set forth in
13 RCW 18.71.050 except for completion of (~~two years of~~) an approved
14 postgraduate medical training program, and that the applicant has
15 been appointed as a resident physician in a program of postgraduate
16 (~~clinical~~) medical training in this state approved by the
17 commission, the commission may issue a limited license to a resident
18 physician. Such license shall permit the resident physician to
19 practice medicine only in connection with his or her duties as a
20 resident physician and shall not authorize the physician to engage in
21 any other form of practice. Each resident physician shall practice
22 medicine only under the supervision and control of a physician
23 licensed in this state, but such supervision and control shall not be
24 construed to necessarily require the personal presence of the
25 supervising physician at the place where services are rendered. After
26 completing a minimum of twenty-four months of postgraduate medical
27 training, the holder of a limited resident license may practice
28 outside of the scope of the residency appointment, otherwise known as
29 moonlighting, if the following conditions are met:

30 (a)(i) The license holder has received approval from the
31 postgraduate medical training program; and

32 (ii) The approval is filed with the commission by the license
33 holder at the time of appointment.

34 (b) The commission must be notified if the postgraduate medical
35 training program revokes the approval for any reason.

36 (4)(a) Upon nomination by the dean of the school of medicine at
37 the University of Washington or the chief executive officer of a
38 hospital or other appropriate health care facility licensed in the
39 state of Washington, the commission may issue a limited license to a
40 physician applicant invited to serve as a teaching-research member of

1 the institution's instructional staff if the sponsoring institution
2 and the applicant give evidence that he or she has graduated from a
3 recognized medical school and has been licensed or otherwise
4 privileged to practice medicine at his or her location of origin.
5 Such license shall permit the recipient to practice medicine only
6 within the confines of the instructional program specified in the
7 application and shall terminate whenever the holder ceases to be
8 involved in that program, or at the end of one year, whichever is
9 earlier. Upon request of the applicant and the institutional
10 authority, the license may be renewed. The holder of a teaching-
11 research license under this subsection (4)(a) is eligible for full
12 licensure if the following conditions are met:

13 (i) If the applicant has not graduated from a school of medicine
14 located in any state, territory, or possession of the United States,
15 the District of Columbia, or the Dominion of Canada, the applicant
16 must satisfactorily pass the certification process by the educational
17 commission for foreign medical graduates;

18 (ii) The applicant has successfully completed the exam
19 requirements set forth by the commission by rule;

20 (iii) The applicant has the ability to read, write, speak,
21 understand, and be understood in the English language at a level
22 acceptable for performing competent medical care in all practice
23 settings;

24 (iv) The applicant has continuously held a position of associate
25 professor or higher at a recognized Washington state medical school
26 for no less than three years; and

27 (v) The applicant has had no disciplinary action taken in the
28 previous five years.

29 (b) Upon nomination by the dean of the school of medicine of the
30 University of Washington or the chief executive officer of any
31 hospital or appropriate health care facility licensed in the state of
32 Washington, the commission may issue a limited license to an
33 applicant selected by the sponsoring institution to be enrolled in
34 one of its designated departmental or divisional fellowship programs
35 provided that the applicant shall have graduated from a recognized
36 medical school and has been granted a license or other appropriate
37 certificate to practice medicine in the location of the applicant's
38 origin. Such license shall permit the holder only to practice
39 medicine within the confines of the fellowship program to which he or
40 she has been appointed and, upon the request of the applicant and the

1 sponsoring institution, the license may be renewed by the commission
2 (~~for no more than a total of two years~~).

3 All persons licensed under this section shall be subject to the
4 jurisdiction of the commission to the same extent as other members of
5 the medical profession, in accordance with this chapter and chapter
6 18.130 RCW.

7 Persons applying for licensure and renewing licenses pursuant to
8 this section shall comply with administrative procedures,
9 administrative requirements, and fees determined as provided in RCW
10 43.70.250 and 43.70.280. Any person who obtains a limited license
11 pursuant to this section may apply for licensure under this chapter,
12 but shall submit a new application form and comply with all other
13 licensing requirements of this chapter.

14 NEW SECTION. **Sec. 5.** RCW 18.71.051 (Application--Eligibility
15 requirements--Foreign graduates) and 2011 c 138 s 1, 1994 sp.s. c 9 s
16 308, 1991 c 3 s 162, & 1975 1st ex.s. c 171 s 16 are each repealed.

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