

SSB 5523 - H COMM AMD  
By Committee on Appropriations

ADOPTED 04/10/2023

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

3 "NEW SECTION. **Sec. 1.** Forensic pathologists are medically  
4 trained doctors who perform autopsies. For the last decade, there has  
5 been a persistent shortage in forensic pathologists both locally and  
6 nationally and this problem has only grown worse. It is the intent of  
7 the legislature to incentivize people to enter the profession by  
8 alleviating the student loan burden for medically trained forensic  
9 pathologists.

10 **Sec. 2.** RCW 28B.115.020 and 2022 c 276 s 1 are each amended to  
11 read as follows:

12 Unless the context clearly requires otherwise, the definitions in  
13 this section apply throughout this chapter.

14 (1) "Approved nursing program" means a nursing educational  
15 program that leads to a degree or licensure in nursing that is  
16 approved by the nursing care quality assurance commission under RCW  
17 18.79.070 and is located at an institution of higher education that  
18 is authorized to participate in state financial aid programs under  
19 chapter 28B.92 RCW.

20 (2) "Council" means the Washington state forensic investigations  
21 council created in chapter 43.103 RCW.

22 (3) "Credentialed health care profession" means a health care  
23 profession regulated by a disciplining authority in the state of  
24 Washington under RCW 18.130.040 or by the pharmacy quality assurance  
25 commission under chapter 18.64 RCW and designated by the department  
26 in RCW 28B.115.070 as a profession having shortages of credentialed  
27 health care professionals in the state.

28 ~~((3))~~ (4) "Credentialed health care professional" means a  
29 person regulated by a disciplining authority in the state of  
30 Washington to practice a health care profession under RCW 18.130.040

1 or by the pharmacy quality assurance commission under chapter 18.64  
2 RCW.

3 ~~((4))~~ (5) "Department" means the state department of health.

4 ~~((5))~~ (6) "Eligible education and training programs" means  
5 education and training programs approved by the department that lead  
6 to eligibility for a credential as a credentialed health care  
7 professional.

8 ~~((6))~~ (7) "Eligible expenses" means reasonable expenses  
9 associated with the costs of acquiring an education such as tuition,  
10 books, equipment, fees, room and board, and other expenses determined  
11 by the office.

12 ~~((7))~~ (8) "Eligible student" means a student who has been  
13 accepted into an eligible education or training program and has a  
14 declared intention to serve in a health professional shortage area  
15 upon completion of the education or training program.

16 ~~((8))~~ (9) "Forgiven" or "to forgive" or "forgiveness" means to  
17 render health care services in a health professional shortage area,  
18 an underserved behavioral health area, or as a nurse educator in the  
19 state of Washington in lieu of monetary repayment.

20 ~~((9))~~ (10) "Health professional shortage areas" means those  
21 areas where credentialed health care professionals are in short  
22 supply as a result of geographic maldistribution or as the result of  
23 a short supply of credentialed health care professionals in specialty  
24 health care areas and where vacancies exist in serious numbers that  
25 jeopardize patient care and pose a threat to the public health and  
26 safety. The department shall determine health professional shortage  
27 areas as provided for in RCW 28B.115.070. In making health  
28 professional shortage area designations in the state the department  
29 may be guided by applicable federal standards for "health manpower  
30 shortage areas," and "medically underserved areas," and "medically  
31 underserved populations."

32 ~~((10))~~ (11) "Identified shortage areas" means those areas where  
33 qualified forensic pathologists are in short supply because of  
34 geographic maldistribution or where vacancies exist that may  
35 compromise death investigations. The council, with assistance from  
36 the department, shall determine shortage areas.

37 (12) "Loan repayment" means a loan that is paid in full or in  
38 part if the participant:

1 (a) Renders health care services in a health professional  
2 shortage area or an underserved behavioral health area as defined by  
3 the department; (~~☒~~)

4 (b) Teaches as a nurse educator for an approved nursing program;  
5 or

6 (c) Renders services as a qualified board-certified forensic  
7 pathologist as determined by the department.

8 (~~(11)~~) (13) "Nonshortage rural area" means a nonurban area of  
9 the state of Washington that has not been designated as a rural  
10 physician shortage area. The department shall identify the  
11 nonshortage rural areas of the state.

12 (~~(12)~~) (14) "Nurse educator" means an individual with an  
13 advanced nursing degree beyond a bachelor's degree that teaches  
14 nursing curriculum and is a faculty member for an approved nursing  
15 program.

16 (~~(13)~~) (15) "Office" means the office of student financial  
17 assistance.

18 (~~(14)~~) (16) "Participant" means:

19 (a) A credentialed health care professional who has received a  
20 loan repayment award and has commenced practice as a credentialed  
21 health care provider in a designated health professional shortage  
22 area or an underserved behavioral health area;

23 (b) A nurse educator teaching in an approved nursing program;  
24 (~~☒~~)

25 (c) An eligible student who has received a scholarship under this  
26 program; or

27 (d) A board-certified forensic pathologist who has commenced  
28 working in or is committed to working in identified shortage areas in  
29 the state of Washington for the pathologist's required service  
30 obligation.

31 (~~(15)~~) (17) "Required service obligation" means an obligation  
32 by the participant to:

33 (a) Provide health care services in a health professional  
34 shortage area or an underserved behavioral health area for a period  
35 to be established as provided for in this chapter; (~~☒~~)

36 (b) Teach as a nurse educator for a period to be established as  
37 provided for in this chapter; or

38 (c) Provide services as a board-certified forensic pathologist in  
39 identified shortage areas as determined by the council.

1       (~~(16)~~) (18) "Rural physician shortage area" means rural  
2 geographic areas where primary care physicians are in short supply as  
3 a result of geographic maldistributions and where their limited  
4 numbers jeopardize patient care and pose a threat to public health  
5 and safety. The department shall designate rural physician shortage  
6 areas.

7       (~~(17)~~) (19) "Satisfied" means paid-in-full.

8       (~~(18)~~) (20) "Scholarship" means a loan that is forgiven in  
9 whole or in part if the recipient renders health care services in a  
10 health professional shortage area or an underserved behavioral health  
11 area.

12       (~~(19)~~) (21) "Sponsoring community" means a rural hospital or  
13 hospitals as authorized in chapter 70.41 RCW, a rural health care  
14 facility or facilities as authorized in chapter 70.175 RCW, or a city  
15 or county government or governments.

16       (~~(20)~~) (22) "Underserved behavioral health area" means a  
17 geographic area, population, or facility that has a shortage of  
18 health care professionals providing behavioral health services, as  
19 determined by the department.

20       **Sec. 3.** RCW 28B.115.030 and 2022 c 276 s 2 are each amended to  
21 read as follows:

22       The Washington health corps is the state's initiative to  
23 encourage health care professionals to work in underserved  
24 communities. In exchange for service, the health care professional  
25 receives assistance with higher education, in the form of loan  
26 repayment or a conditional scholarship. The Washington health corps  
27 consists of the health professional loan repayment and scholarship  
28 program, the behavioral health loan repayment program, (~~and~~) the  
29 nurse educator loan repayment program, and the forensic pathology  
30 loan repayment program.

31       (1) The health professional loan repayment and scholarship  
32 program is established for credentialed health professionals and  
33 residents serving in health professional shortage areas.

34       (2) The behavioral health loan repayment program is established  
35 for credentialed health professionals serving in underserved  
36 behavioral health areas.

37       (3) The nurse educator loan repayment program is established for  
38 nurse educators teaching for approved nursing programs.

1       (4) The forensic pathology loan repayment program is established  
2 for board-certified forensic pathologists providing services for  
3 counties in identified shortage areas.

4       (5) The office is the administrator of the programs under the  
5 Washington health corps. In administering the programs, the office  
6 shall:

7       (a) (i) Select credentialed health care professionals and  
8 residents to participate in the loan repayment portion and in the  
9 scholarship portion of the health professional loan repayment and  
10 scholarship program;

11       (ii) Select credentialed health care participants to participate  
12 in the behavioral health loan repayment program; (~~and~~)

13       (iii) Select nurse educators to participate in the nurse educator  
14 loan repayment program; and

15       (iv) Select board-certified forensic pathologists to participate  
16 in the forensic pathology loan repayment program;

17       (b) Adopt rules and develop guidelines to administer the  
18 programs;

19       (c) Collect and manage repayments from participants who do not  
20 meet their service obligations under this chapter;

21       (d) Publicize the program, particularly to maximize participation  
22 among individuals in shortage and underserved areas and among  
23 populations expected to experience the greatest growth in the  
24 workforce;

25       (e) Solicit and accept grants and donations from public and  
26 private sources for the programs;

27       (f) Use a competitive procurement to contract with a fund-raiser  
28 to solicit and accept grants and donations from private sources for  
29 the programs. The fund-raiser shall be paid on a contingency fee  
30 basis on a sliding scale but must not exceed (~~fifteen~~) 15 percent  
31 of the total amount raised for the programs each year. The fund-  
32 raiser shall not be a registered state lobbyist; and

33       (g) Develop criteria for a contract for service in lieu of the  
34 service obligation where appropriate, that may be a combination of  
35 service and payment.

36       **Sec. 4.** RCW 28B.115.040 and 2019 c 302 s 4 are each amended to  
37 read as follows:

38       (1) The department may provide technical assistance to rural  
39 communities desiring to become sponsoring communities for the

1 purposes of identification of prospective students for the health  
2 professional loan repayment and scholarship program, assisting  
3 prospective students to apply to an eligible education and training  
4 program, making formal agreements with prospective students to  
5 provide credentialed health care services in the community, forming  
6 agreements between rural communities in a service area to share  
7 credentialed health care professionals, and fulfilling any matching  
8 requirements.

9 (2) The department, in consultation with the council and other  
10 pertinent stakeholders, may provide technical assistance to counties  
11 desiring to become sponsoring communities for the purposes of  
12 identification of prospective students for the forensic pathology  
13 loan repayment program, assisting prospective students to apply to an  
14 eligible education and training program, making formal agreements  
15 with prospective students to provide services as a board-certified  
16 forensic pathologist, forming agreements between rural and  
17 underserved counties in a service area to share credentialed forensic  
18 pathology professionals, and fulfilling any matching requirements.

19 (3) From the amounts appropriated to the department, the  
20 department shall enter into a contract for a two-year marketing plan  
21 with the Washington association of coroners and medical examiners for  
22 the sole purpose of marketing Washington state to potential board-  
23 certified forensic pathologists. The marketing plan must include, but  
24 is not limited to, a focus on rural and underserved counties. Payment  
25 for administrative expenses may not exceed two percent of the  
26 appropriated funds.

27 **Sec. 5.** RCW 28B.115.050 and 2022 c 276 s 3 are each amended to  
28 read as follows:

29 The office shall establish a planning committee to assist it in  
30 developing criteria for the selection of participants for the  
31 Washington health corps program. The office shall include on the  
32 planning committee representatives of the department, the department  
33 of social and health services, appropriate representatives from  
34 health care facilities, provider groups, consumers, the state board  
35 for community and technical colleges, the superintendent of public  
36 instruction, institutions of higher education, representatives from  
37 the behavioral health and public health fields, the council, and  
38 other appropriate public and private agencies and organizations. The

1 criteria may require that some of the participants meet the  
2 definition of financial need under RCW 28B.92.030.

3 **Sec. 6.** RCW 28B.115.070 and 2022 c 276 s 4 are each amended to  
4 read as follows:

5 (1) After June 1, 1992, the department, in consultation with the  
6 office and the department of social and health services, shall:

7 (a) Determine eligible credentialed health care professions for  
8 the purposes of the health professional loan repayment and  
9 scholarship program and the behavioral health loan repayment program  
10 authorized by this chapter. Eligibility shall be based upon an  
11 assessment that determines that there is a shortage or insufficient  
12 availability of a credentialed profession so as to jeopardize patient  
13 care and pose a threat to the public health and safety. The  
14 department shall consider the relative degree of shortages among  
15 professions when determining eligibility. The department may add or  
16 remove professions from eligibility based upon the determination that  
17 a profession is no longer in shortage. Should a profession no longer  
18 be eligible, participants or eligible students who have received  
19 scholarships shall be eligible to continue to receive scholarships or  
20 loan repayments until they are no longer eligible or until their  
21 service obligation has been completed;

22 (b) Determine health professional shortage areas for each of the  
23 eligible credentialed health care professions; and

24 (c) Determine underserved behavioral health areas for each of the  
25 eligible credentialed health care professions.

26 (2) The office, in consultation with the department, shall  
27 determine selection criteria for nurse educators and approved nursing  
28 programs.

29 (3) The office, in consultation with the department and the  
30 council, shall determine selection criteria for board-certified  
31 forensic pathologists.

32 **Sec. 7.** RCW 28B.115.080 and 2022 c 276 s 5 are each amended to  
33 read as follows:

34 (1) After June 1, 1992, the office, in consultation with the  
35 department and the department of social and health services, shall:

36 ~~((1))~~ (a) Establish the annual award amount for each  
37 credentialed health care profession which shall be based upon an  
38 assessment of reasonable annual eligible expenses involved in

1 training and education for each credentialed health care profession  
2 for both the health professional loan repayment and scholarship  
3 program and the behavioral health loan repayment program. The annual  
4 award amount may be established at a level less than annual eligible  
5 expenses. The annual award amount shall be established by the office  
6 for each eligible health profession. The awards shall not be paid for  
7 more than a maximum of five years per individual;

8 ~~((2))~~ (b) Determine any scholarship awards for prospective  
9 physicians in such a manner to require the recipients declare an  
10 interest in serving in rural areas of the state of Washington.  
11 Preference for scholarships shall be given to students who reside in  
12 a rural physician shortage area or a nonshortage rural area of the  
13 state prior to admission to the eligible education and training  
14 program in medicine. Highest preference shall be given to students  
15 seeking admission who are recommended by sponsoring communities and  
16 who declare the intent of serving as a physician in a rural area. The  
17 office may require the sponsoring community located in a nonshortage  
18 rural area to financially contribute to the eligible expenses of a  
19 medical student if the student will serve in the nonshortage rural  
20 area;

21 ~~((3))~~ (c) Establish the required service obligation for each  
22 credentialed health care profession, which shall be no less than  
23 three years or no more than five years, for the health professional  
24 loan repayment and scholarship program and the behavioral health loan  
25 repayment program. The required service obligation may be based upon  
26 the amount of the scholarship or loan repayment award such that  
27 higher awards involve longer service obligations on behalf of the  
28 participant;

29 ~~((4))~~ (d) Establish the annual award amount and the required  
30 service obligation for nurse educators participating in the nurse  
31 educator loan repayment program. The annual award amount shall be  
32 based upon an assessment of reasonable annual eligible expenses  
33 involved in training and education. The awards shall not be paid for  
34 more than a maximum of five years per individual. The required  
35 service obligation shall be no less than three years or no more than  
36 five years. The required service obligation may be based upon the  
37 amount of the loan repayment award such that higher awards involve  
38 longer service obligations on behalf of the participant;



1       ~~((5))~~ (e) Determine eligible education and training programs  
2 for purposes of the scholarship portion of the health professional  
3 loan repayment and scholarship program; and

4       ~~((6))~~ (f) Honor loan repayment and scholarship contract terms  
5 negotiated between the office and participants prior to May 21, 1991,  
6 concerning loan repayment and scholarship award amounts and service  
7 obligations authorized under this chapter or chapter 70.180 RCW.

8       (2) The department and the council, with the office, shall  
9 establish the annual loan repayment amount for each eligible board-  
10 certified forensic pathologist, based upon an assessment of  
11 reasonable eligible expenses involved in training and education up to  
12 \$25,000 annually. The awards may not be paid for more than a total of  
13 four years per participant. The required service obligation must be  
14 four years. The annual award amount shall be established by the  
15 office.

16       **Sec. 8.** RCW 28B.115.110 and 2022 c 276 s 7 are each amended to  
17 read as follows:

18       Participants in the Washington health corps who are awarded loan  
19 repayments shall receive payment for the purpose of repaying  
20 educational loans secured while attending a program of health  
21 professional training which led to a credential as a credentialed  
22 health professional in the state of Washington.

23       (1) Participants shall agree to meet the required service  
24 obligation.

25       (2) Repayment shall be limited to eligible educational and living  
26 expenses as determined by the office and shall include principal and  
27 interest.

28       (3) Loans from both government and private sources may be repaid  
29 by the program. Participants shall agree to allow the office access  
30 to loan records and to acquire information from lenders necessary to  
31 verify eligibility and to determine payments. Loans may not be  
32 renegotiated with lenders to accelerate repayment.

33       (4) Repayment of loans established pursuant to the Washington  
34 health corps shall begin no later than ~~((ninety))~~ 90 days after the  
35 individual has become a participant. Payments shall be made  
36 quarterly, or more frequently if deemed appropriate by the office, to  
37 the participant until the loan is repaid or the participant becomes  
38 ineligible due to discontinued service in a health professional  
39 shortage area, an underserved behavioral health area, ~~((or))~~ as a

1 nurse educator at an approved nursing program after the required  
2 service obligation when eligibility discontinues, or as a board-  
3 certified forensic pathologist in an identified shortage area,  
4 whichever comes first.

5 (5) Should the participant discontinue service in a health  
6 professional shortage area, an underserved behavioral health area,  
7 ((~~or~~)) as a nurse educator at an approved nursing program, or as a  
8 board-certified forensic pathologist in an identified shortage area,  
9 payments against the loans of the participants shall cease to be  
10 effective on the date that the participant discontinues service.

11 (6) Except for circumstances beyond their control, participants  
12 who serve less than the required service obligation shall be  
13 obligated to repay to the program an amount equal to the unsatisfied  
14 portion of the service obligation, or the total amount paid by the  
15 program on their behalf, whichever is less. This amount is due and  
16 payable immediately. Participants who are unable to pay the full  
17 amount due shall enter into a payment arrangement with the office,  
18 including an arrangement for payment of interest. The maximum period  
19 for repayment is ((~~ten~~)) 10 years. The office shall determine the  
20 applicability of this subsection. The interest rate shall be  
21 determined by the office and be established by rule.

22 (7) The office is responsible for the collection of payments made  
23 on behalf of participants from the participants who discontinue  
24 service before completion of the required service obligation. The  
25 office shall exercise due diligence in such collection, maintaining  
26 all necessary records to ensure that the maximum amount of payment  
27 made on behalf of the participant is recovered. Collection under this  
28 section shall be pursued using the full extent of the law, including  
29 wage garnishment if necessary.

30 (8) The office shall not be held responsible for any outstanding  
31 payments on principal and interest to any lenders once a  
32 participant's eligibility expires.

33 (9) The office shall temporarily or, in special circumstances,  
34 permanently defer the requirements of this section for eligible  
35 students as defined in RCW 28B.10.017.

36 (10) The office shall establish an appeal process by rule.

37 **Sec. 9.** RCW 28B.115.130 and 2022 c 276 s 8 are each amended to  
38 read as follows:

1 (1) Any funds appropriated by the legislature for the health  
2 professional loan repayment and scholarship program (~~and~~), the  
3 nurse educator loan repayment program, the forensic pathology loan  
4 repayment program, or any other public or private funds intended for  
5 loan repayments or scholarships under these programs shall be placed  
6 in the account created by this section.

7 (2) The health professional loan repayment and scholarship  
8 program fund is created in custody of the state treasurer. All  
9 receipts from the program shall be deposited into the fund. Only the  
10 office, or its designee, may authorize expenditures from the fund.  
11 The fund is subject to allotment procedures under chapter 43.88 RCW,  
12 but no appropriation is required for expenditures.

13 NEW SECTION. **Sec. 10.** (1) The department of health shall  
14 contract with the Washington association of coroners and medical  
15 examiners to: Conduct a study of the critical shortage of board-  
16 certified forensic pathologists and recommend to the legislature what  
17 steps the state can take to foster a robust forensic pathology  
18 community. The study must cover issues related to Conrad 30 J-1 visa  
19 waivers and measures to encourage enrollment in the University of  
20 Washington and Washington State University forensic pathology  
21 residency programs. This study must also include recommendations on  
22 how to create two new forensic pathology fellow slots, one in  
23 conjunction with the University of Washington and one in conjunction  
24 with Washington State University. The Washington association of  
25 coroners and medical examiners shall directly report its findings and  
26 recommendations to the governor and the appropriate committees of the  
27 legislature by October 1, 2024.

28 (2) This section expires August 1, 2025.

29 **Sec. 11.** RCW 68.50.104 and 2021 c 127 s 8 are each amended to  
30 read as follows:

31 (1) The cost of autopsy shall be borne by the county in which the  
32 autopsy is performed, except when requested by the department of  
33 labor and industries, in which case, the department shall bear the  
34 cost of such autopsy.

35 (2)(a) Except as provided in (b) of this subsection, when the  
36 county bears the cost of an autopsy, it shall be reimbursed from the  
37 death investigations account, established by RCW 43.79.445, as  
38 follows:

1 (i) Up to (~~forty~~) 40 percent of the cost of contracting for the  
2 services of a pathologist to perform an autopsy;

3 (ii) Up to 30 percent of the salary of pathologists who are  
4 primarily engaged in performing autopsies and are (A) county coroners  
5 or county medical examiners, or (B) employees of a county coroner or  
6 county medical examiner; (~~and~~)

7 (iii) (~~One hundred~~) 100 percent of the cost of autopsies  
8 conducted under RCW 70.54.450; and

9 (iv) Up to 40 percent of the cost of transportation of remains to  
10 and from facilities accredited pursuant to RCW 36.24.210 for the  
11 purpose of autopsy services.

12 (b) When the county bears the cost of an autopsy of a child under  
13 the age of three whose death was sudden and unexplained, the county  
14 shall be reimbursed for the expenses of the autopsy when the death  
15 scene investigation and the autopsy have been conducted under RCW  
16 43.103.100 (4) and (5), and the autopsy has been done at a facility  
17 designed for the performance of autopsies.

18 (3) Payments from the account shall be made pursuant to biennial  
19 appropriation: PROVIDED, That no county may reduce funds appropriated  
20 for this purpose below 1983 budgeted levels.

21 (4) Where the county coroner's office or county medical  
22 examiner's office is not accredited pursuant to RCW 36.24.210, or a  
23 coroner, medical examiner, or other medicolegal investigative  
24 employee is not certified as required by RCW 36.24.205 and  
25 43.101.480, the state treasurer's office shall withhold 25 percent of  
26 autopsy reimbursement funds until accreditation under RCW 36.24.210  
27 or compliance with RCW 36.24.205 and 43.101.480 is achieved."

28 Correct the title.

**EFFECT:** Strikes the underlying bill establishing an independent Forensic Pathology Loan Repayment Program and instead establishes the Board-Certified Forensic Pathology Repayment Program under the umbrella of the Washington Health Corps with a four-year service obligation.

Requires the Washington Association of Coroners and Medical Examiners to conduct a study of the critical shortage of board-certified forensic pathologists and submit a report with recommendations to the Legislature by October 1, 2024.

Allows coroners to receive up to 40 percent of the cost of transportation of remains between facilities for autopsy services from the Death Investigations Account.

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