
Health Care & Wellness Committee

HB 1547

Brief Description: Increasing the health care workforce by authorizing out-of-state providers to practice immediately.

Sponsors: Representatives Caldier, Christian, Volz, Eslick, Hutchins and Graham.

Brief Summary of Bill

- Authorizes an out-of-state health care provider to practice in Washington upon submission of certain information by a health care entity to the Department of Health.

Hearing Date: 1/31/23

Staff: Emily Poole (786-7106).

Background:

The Department of Health (DOH) directly regulates or collaborates with a board or commission to license and oversee health professions in Washington. The DOH or other disciplining authority for each health profession establishes specific criteria for licensure, which may include a certain level of education, completion of supervised training, completion of a background check, administration of a knowledge or practical skills examination, and collection of license or certification fees.

Under the Uniform Disciplinary Act, which provides a legal and policy framework for the regulation and oversight of health care providers in each health care profession, disciplining authorities have the authority to take disciplinary action against a license holder of, or applicant for, a professional license. Disciplining authorities are also authorized to grant or deny license applications and to restrict or place conditions on the practice of new licensees.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Applicants for licensure for certain health professions with credentials from another state or territory may be granted a provisional or probationary license in Washington under reciprocity programs established by certain disciplining authorities.

The Department of Health (DOH) licenses and regulates several types of health care facilities, including hospitals, birthing centers, medical test sites, ambulatory surgical facilities, and behavioral health agencies. Nursing homes are licensed by the Department of Social and Health Services. Depending on the type of health care facility, a health care facility may be required to obtain certain information from health care providers prior to granting clinical privileges, investigate complaints of violations by health care providers, and report restrictions on health care providers' privileges to the DOH.

Summary of Bill:

An out-of-state health care provider is authorized to practice in Washington upon submission of certain information by a health care entity to the DOH. In order to obtain such authorization, a health care entity is required to submit the following information to the DOH for each health care provider:

- the health care provider's name;
- the health care provider's address;
- the state or territory where the health care provider holds an active license and license number; and
- the health care provider's email address.

The health care entity must also submit a signed attestation that confirms the following:

- the health care provider holds a current and active license in another state or territory;
- the health care provider's license, in all jurisdictions where a license is held, has not been encumbered;
- there are no liability or malpractice insurance claims or pending lawsuits against the health care provider; and
- the health care provider will be practicing at a health care entity in Washington.

The health care entity is responsible for the actions or inactions of the health care provider. The health care provider is only authorized to provide the services and procedures authorized by the state in which the health care provider holds an active license.

"Health care entity" is defined to mean hospitals licensed under chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW, behavioral health agencies licensed under chapter 71.05 or 71.24 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 or 70.230 RCW, community health centers, and medical test sites licensed under chapter 70.42 RCW.

"Health care provider" is defined to mean a person regulated under Title 18 RCW to practice

health or health-related services or otherwise practicing health care services in Washington consistent with state law.

Appropriation: None.

Fiscal Note: Requested on January 30, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.