

HOUSE BILL REPORT

ESB 6151

As Passed House - Amended:

February 27, 2024

Title: An act relating to the provision of an ultrasound.

Brief Description: Concerning the provision of an ultrasound.

Sponsors: Senators Randall, Wilson, C., Nobles, Trudeau, Kuderer, Dhingra, Frame, Hasegawa, Keiser, Lias, Saldaña, Stanford and Valdez.

Brief History:

Committee Activity:

Health Care & Wellness: 2/20/24, 2/21/24 [DPA].

Floor Activity:

Passed House: 2/27/24, 94-0.

Brief Summary of Engrossed Bill (As Amended by House)

- Prohibits an individual other than a licensed health care provider, or a person working under a health care provider's supervision, from providing an ultrasound.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass as amended. Signed by 10 members: Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske, Davis, Macri, Orwall, Simmons, Stonier, Thai and Tharinger.

Minority Report: Do not pass. Signed by 4 members: Representatives Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Graham and Maycumber.

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.

Minority Report: Without recommendation. Signed by 3 members: Representatives Caldier, Harris and Mosbrucker.

Staff: Emily Poole (786-7106).

Background:

Ultrasounds.

Ultrasounds use high-frequency sound waves to create real-time pictures or videos of internal organs or other soft tissues, such as blood vessels, or to otherwise interact with tissue in the body. According to the National Institutes of Health, Institute of Biomedical Imaging and Bioengineering, ultrasounds fall into two categories, diagnostic and therapeutic. A diagnostic ultrasound is a diagnostic technique used to produce an image of the inside of the body. Most diagnostic ultrasound probes are placed on the skin. However, to optimize image quality, probes may be placed inside the body via the gastrointestinal tract, vagina, or blood vessels. Therapeutic ultrasounds also use sound waves above the range of human hearing but do not produce images. Instead, therapeutic ultrasounds are used to modify or destroy tissues in the body, such as dissolving blood clots.

Discipline of Health Care Professionals.

Health care providers are licensed and regulated by the relevant disciplining authority for each health care profession. Under the Uniform Disciplinary Act (UDA), disciplining authorities have the authority to investigate all complaints or reports of unprofessional conduct. Upon a finding, after a hearing, that a license holder has committed unprofessional conduct, the disciplining authority is required to issue an order including appropriate sanctions.

Summary of Amended Bill:

An ultrasound or a similar medical imaging device or procedure may only be provided by a health care provider holding an active license and acting within the health care provider's scope of practice or by a person acting under the supervision of a health care provider holding an active license, where all actions performed are within the supervising health care provider's scope of practice.

A failure to comply with this requirement constitutes unlicensed practice under the UDA, except that the requirement does not apply to the use of an ultrasound by a person on livestock or other animals owned or being raised by that person.

Appropriation: None.

Fiscal Note: Available.

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

bill is passed.

Staff Summary of Public Testimony:

(In support) This bill will protect patients by establishing that only licensed health care providers or people under their supervision can provide ultrasounds. The public should be able to trust in the health care system, and the current system allows for ultrasound technicians to inflict harm on patients and continue practicing without professional discipline.

(Opposed) Many pregnancy centers provide ultrasounds, and this bill would limit that ability. Women should have as many choices as possible, and this bill restricts those choices. Ultrasounds can save lives and bring joy to pregnant people. There are other ways to address the risk of harm to patients. This bill might create unintended consequences where engineers or students are not able to work on or use ultrasound machines.

Persons Testifying: (In support) K. F. and B. F.

(Opposed) Gabriel Jacobs; and Sharon Damoff.

Persons Signed In To Testify But Not Testifying: None.