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**HOUSE BILL 2502**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Rule, Slatter, Ramos, Simmons, Santos, Ryu, Nance, Callan, and Bergquist

Read first time 03/05/24. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to promoting reproductive autonomy by protecting  
2 access to contraceptive methods; reenacting and amending RCW  
3 18.130.180; adding a new section to chapter 18.130 RCW; and creating  
4 a new section.

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

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the  
7 protecting reproductive autonomy act.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 18.130  
9 RCW to read as follows:

10 (1) A health care provider licensed under this title whose scope  
11 of practice includes performing sterilizations for contraceptive  
12 purposes may not require an individual who is seeking a sterilization  
13 to meet any special nonmedical qualifications, which are not imposed  
14 on individuals seeking other types of health care services. Such  
15 prohibited nonmedical qualifications include, but are not limited to,  
16 marital status and number of natural children. Such prohibited  
17 nonmedical qualifications include age, except that age may be a  
18 qualification for determining consent or applicable insurance  
19 coverage under state or federal law.

1 (2) Nothing in this section prohibits requirements relating to  
2 the physical or mental condition of the individual or affects the  
3 right of the health care provider to provide medical counseling or  
4 advice as to whether or not sterilization is appropriate. A health  
5 care provider may not provide nonmedical counseling or advice as to  
6 whether sterilization is appropriate. This section does not affect  
7 existing law with respect to minors.

8 (3) An individual must voluntarily give informed consent before a  
9 health care provider may perform a sterilization for contraceptive  
10 purposes.

11 (4) A licensed health care provider who violates subsection (1)  
12 of this section is subject to discipline pursuant to this chapter,  
13 the uniform disciplinary act.

14 (5) For purposes of this section:

15 (a) "Minor" means any person under the age of 18; and

16 (b) "Sterilization" means any medical procedure, treatment, or  
17 operation for the purpose of rendering an individual permanently  
18 incapable of reproducing.

19 **Sec. 3.** RCW 18.130.180 and 2023 c 192 s 2 and 2023 c 122 s 4 are  
20 each reenacted and amended to read as follows:

21 Except as provided in RCW 18.130.450, the following conduct,  
22 acts, or conditions constitute unprofessional conduct for any license  
23 holder under the jurisdiction of this chapter:

24 (1) The commission of any act involving moral turpitude,  
25 dishonesty, or corruption relating to the practice of the person's  
26 profession, whether the act constitutes a crime or not. If the act  
27 constitutes a crime, conviction in a criminal proceeding is not a  
28 condition precedent to disciplinary action. Upon such a conviction,  
29 however, the judgment and sentence is conclusive evidence at the  
30 ensuing disciplinary hearing of the guilt of the license holder of  
31 the crime described in the indictment or information, and of the  
32 person's violation of the statute on which it is based. For the  
33 purposes of this section, conviction includes all instances in which  
34 a plea of guilty or nolo contendere is the basis for the conviction  
35 and all proceedings in which the sentence has been deferred or  
36 suspended. Nothing in this section abrogates rights guaranteed under  
37 chapter 9.96A RCW;

38 (2) Misrepresentation or concealment of a material fact in  
39 obtaining a license or in reinstatement thereof;

- 1 (3) All advertising which is false, fraudulent, or misleading;
- 2 (4) Incompetence, negligence, or malpractice which results in  
3 injury to a patient or which creates an unreasonable risk that a  
4 patient may be harmed. The use of a nontraditional treatment by  
5 itself shall not constitute unprofessional conduct, provided that it  
6 does not result in injury to a patient or create an unreasonable risk  
7 that a patient may be harmed;
- 8 (5) Suspension, revocation, or restriction of the individual's  
9 license to practice any health care profession by competent authority  
10 in any state, federal, or foreign jurisdiction, a certified copy of  
11 the order, stipulation, or agreement being conclusive evidence of the  
12 revocation, suspension, or restriction;
- 13 (6) The possession, use, prescription for use, or distribution of  
14 controlled substances or legend drugs in any way other than for  
15 legitimate or therapeutic purposes, diversion of controlled  
16 substances or legend drugs, the violation of any drug law, or  
17 prescribing controlled substances for oneself;
- 18 (7) Violation of any state or federal statute or administrative  
19 rule regulating the profession in question, including any statute or  
20 rule defining or establishing standards of patient care or  
21 professional conduct or practice;
- 22 (8) Failure to cooperate with the disciplining authority by:
- 23 (a) Not furnishing any papers, documents, records, or other  
24 items;
- 25 (b) Not furnishing in writing a full and complete explanation  
26 covering the matter contained in the complaint filed with the  
27 disciplining authority;
- 28 (c) Not responding to subpoenas issued by the disciplining  
29 authority, whether or not the recipient of the subpoena is the  
30 accused in the proceeding; or
- 31 (d) Not providing reasonable and timely access for authorized  
32 representatives of the disciplining authority seeking to perform  
33 practice reviews at facilities utilized by the license holder;
- 34 (9) Failure to comply with an order issued by the disciplining  
35 authority or a stipulation for informal disposition entered into with  
36 the disciplining authority;
- 37 (10) Aiding or abetting an unlicensed person to practice when a  
38 license is required;
- 39 (11) Violations of rules established by any health agency;

- 1 (12) Practice beyond the scope of practice as defined by law or  
2 rule;
- 3 (13) Misrepresentation or fraud in any aspect of the conduct of  
4 the business or profession;
- 5 (14) Failure to adequately supervise auxiliary staff to the  
6 extent that the consumer's health or safety is at risk;
- 7 (15) Engaging in a profession involving contact with the public  
8 while suffering from a contagious or infectious disease involving  
9 serious risk to public health;
- 10 (16) Promotion for personal gain of any unnecessary or  
11 inefficacious drug, device, treatment, procedure, or service;
- 12 (17) Conviction of any gross misdemeanor or felony relating to  
13 the practice of the person's profession. For the purposes of this  
14 subsection, conviction includes all instances in which a plea of  
15 guilty or nolo contendere is the basis for conviction and all  
16 proceedings in which the sentence has been deferred or suspended.  
17 Nothing in this section abrogates rights guaranteed under chapter  
18 9.96A RCW;
- 19 (18) The offering, undertaking, or agreeing to cure or treat  
20 disease by a secret method, procedure, treatment, or medicine, or the  
21 treating, operating, or prescribing for any health condition by a  
22 method, means, or procedure which the licensee refuses to divulge  
23 upon demand of the disciplining authority;
- 24 (19) The willful betrayal of a practitioner-patient privilege as  
25 recognized by law;
- 26 (20) Violation of chapter 19.68 RCW or a pattern of violations of  
27 RCW 41.05.700(8), 48.43.735(8), 48.49.020, 48.49.030, 71.24.335(8),  
28 or 74.09.325(8);
- 29 (21) Interference with an investigation or disciplinary  
30 proceeding by willful misrepresentation of facts before the  
31 disciplining authority or its authorized representative, or by the  
32 use of threats or harassment against any patient or witness to  
33 prevent them from providing evidence in a disciplinary proceeding or  
34 any other legal action, or by the use of financial inducements to any  
35 patient or witness to prevent or attempt to prevent him or her from  
36 providing evidence in a disciplinary proceeding;
- 37 (22) Current misuse of:
- 38 (a) Alcohol;
- 39 (b) Controlled substances; or
- 40 (c) Legend drugs;

- 1           (23) Abuse of a client or patient or sexual contact with a client  
2 or patient;
- 3           (24) Acceptance of more than a nominal gratuity, hospitality, or  
4 subsidy offered by a representative or vendor of medical or health-  
5 related products or services intended for patients, in contemplation  
6 of a sale or for use in research publishable in professional  
7 journals, where a conflict of interest is presented, as defined by  
8 rules of the disciplining authority, in consultation with the  
9 department, based on recognized professional ethical standards;
- 10          (25) Violation of RCW 18.130.420;
- 11          (26) Performing conversion therapy on a patient under age  
12 eighteen;
- 13          (27) Violation of RCW 18.130.430;
- 14          (28) Violation of RCW 18.130.460;
- 15          (29) Violation of section 2 of this act.

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