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**SENATE BILL 5044**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Muzzall and Robinson

Prefiled 12/13/22. Read first time 01/09/23. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to expanding opportunities for physical therapy  
2 and occupational therapy professionals to form professional service  
3 corporations; and amending RCW 18.100.050.

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

5 **Sec. 1.** RCW 18.100.050 and 2021 c 176 s 5204 are each amended to  
6 read as follows:

7 (1) An individual or group of individuals duly licensed or  
8 otherwise legally authorized to render the same professional services  
9 within this state may organize and become a shareholder or  
10 shareholders of a professional corporation for pecuniary profit under  
11 the provisions of Title 23B RCW for the purpose of rendering  
12 professional service. One or more of the legally authorized  
13 individuals shall be the incorporators of the professional  
14 corporation.

15 (2) Notwithstanding any other provision of this chapter,  
16 registered architects and registered engineers may own stock in and  
17 render their individual professional services through one  
18 professional service corporation.

19 (3) Licensed health care professionals, providing services to  
20 enrolled participants either directly or through arrangements with a  
21 health maintenance organization registered under chapter 48.46 RCW or

1 federally qualified health maintenance organization, may own stock in  
2 and render their individual professional services through one  
3 professional service corporation.

4 (4) Professionals may organize a nonprofit nonstock corporation  
5 under this chapter and chapter 24.03A RCW to provide professional  
6 services, and the provisions of this chapter relating to stock and  
7 referring to Title 23B RCW shall not apply to any such corporation.

8 (5)(a) Notwithstanding any other provision of this chapter,  
9 health care professionals who are licensed or certified pursuant to  
10 chapters 18.06, 18.225, 18.22, 18.25, 18.29, 18.34, 18.35, 18.36A,  
11 18.50, 18.53, 18.55, 18.57, 18.59, 18.64, 18.71, 18.71A, 18.74,  
12 18.79, 18.83, 18.89, 18.108, and 18.138 RCW may own stock in and  
13 render their individual professional services through one  
14 professional service corporation and are to be considered, for the  
15 purpose of forming a professional service corporation, as rendering  
16 the "same specific professional services" or "same professional  
17 services" or similar terms.

18 ~~(b) ((Notwithstanding any other provision of this chapter, health  
19 care professionals who are regulated under chapters 18.59 and 18.74  
20 RCW may own stock in and render their individual professional  
21 services through one professional service corporation formed for the  
22 sole purpose of providing professional services within their  
23 respective scope of practice.~~

24 ~~(e))~~ Formation of a professional service corporation under this  
25 subsection does not restrict the application of the uniform  
26 disciplinary act under chapter 18.130 RCW, or applicable health care  
27 professional statutes under Title 18 RCW, including but not limited  
28 to restrictions on persons practicing a health profession without  
29 being appropriately credentialed and persons practicing beyond the  
30 scope of their credential.

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