

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5940**

68th Legislature  
2024 Regular Session

Passed by the Senate February 7, 2024  
Yeas 49 Nays 0

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**President of the Senate**

Passed by the House February 29, 2024  
Yeas 96 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5940** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5940**

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Passed Legislature - 2024 Regular Session

**State of Washington                      68th Legislature                      2024 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Van De Wege, Hasegawa, Keiser, Lovick, Muzzall, and Wagoner)

READ FIRST TIME 01/22/24.

1            AN     ACT     Relating     to     creating     a     medical     assistant-EMT  
2     certification;     amending     RCW     18.360.010,     18.360.020,     18.360.030,  
3     18.360.040,     and     18.360.050;     and     reenacting     and     amending     RCW  
4     18.120.020     and     18.130.040.

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

6            **Sec. 1.**     RCW 18.360.010 and 2023 c 134 s 1 are each amended to  
7     read as follows:

8            The definitions in this section apply throughout this chapter  
9     unless the context clearly requires otherwise.

10           (1) "Administer" means the retrieval of medication, and its  
11     application to a patient, as authorized in RCW 18.360.050.

12           (2) "Delegation" means direct authorization granted by a licensed  
13     health care practitioner to a medical assistant to perform the  
14     functions authorized in this chapter which fall within the scope of  
15     practice of the health care provider and the training and experience  
16     of the medical assistant.

17           (3) "Department" means the department of health.

18           (4) "Forensic phlebotomist" means a police officer, law  
19     enforcement officer, or employee of a correctional facility or  
20     detention facility, who is certified under this chapter and meets any  
21     additional training and proficiency standards of his or her employer

1 to collect a venous blood sample for forensic testing pursuant to a  
2 search warrant, a waiver of the warrant requirement, or exigent  
3 circumstances.

4 (5) "Health care practitioner" means:

5 (a) A physician licensed under chapter 18.71 RCW;

6 (b) An osteopathic physician and surgeon licensed under chapter  
7 18.57 RCW; or

8 (c) Acting within the scope of their respective licensure, a  
9 podiatric physician and surgeon licensed under chapter 18.22 RCW, a  
10 registered nurse or advanced registered nurse practitioner licensed  
11 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A  
12 RCW, a physician assistant licensed under chapter 18.71A RCW, or an  
13 optometrist licensed under chapter 18.53 RCW.

14 (6) "Medical assistant-certified" means a person certified under  
15 RCW 18.360.040 who assists a health care practitioner with patient  
16 care, executes administrative and clinical procedures, and performs  
17 functions as provided in RCW 18.360.050 under the supervision of the  
18 health care practitioner.

19 (7) "Medical assistant-EMT" means a person certified under RCW  
20 18.360.040 who performs functions as provided in RCW 18.360.050 under  
21 the supervision of a health care practitioner and holds: An emergency  
22 medical technician certification under RCW 18.73.081; an advanced  
23 emergency medical technician certification under RCW 18.71.205; or a  
24 paramedic certification under RCW 18.71.205.

25 (8) "Medical assistant-hemodialysis technician" means a person  
26 certified under RCW 18.360.040 who performs hemodialysis and other  
27 functions pursuant to RCW 18.360.050 under the supervision of a  
28 health care practitioner.

29 ((+8)) (9) "Medical assistant-phlebotomist" means a person  
30 certified under RCW 18.360.040 who performs capillary, venous, and  
31 arterial invasive procedures for blood withdrawal and other functions  
32 pursuant to RCW 18.360.050 under the supervision of a health care  
33 practitioner.

34 ((+9)) (10) "Medical assistant-registered" means a person  
35 registered under RCW 18.360.040 who, pursuant to an endorsement by a  
36 health care practitioner, clinic, or group practice, assists a health  
37 care practitioner with patient care, executes administrative and  
38 clinical procedures, and performs functions as provided in RCW  
39 18.360.050 under the supervision of the health care practitioner.

1       (~~(10)~~) (11) "Secretary" means the secretary of the department  
2 of health.

3       (~~(11)~~) (12)(a) "Supervision" means supervision of procedures  
4 permitted pursuant to this chapter by a health care practitioner who  
5 is physically present and is immediately available in the facility,  
6 except as provided in (b) and (c) of this subsection.

7       (b) The health care practitioner does not need to be present  
8 during procedures to withdraw blood, administer vaccines, or obtain  
9 specimens for or perform diagnostic testing, but must be immediately  
10 available.

11       (c) During a telemedicine visit, supervision over a medical  
12 assistant assisting a health care practitioner with the telemedicine  
13 visit may be provided through interactive audio and video  
14 telemedicine technology.

15       **Sec. 2.** RCW 18.360.020 and 2017 c 336 s 15 are each amended to  
16 read as follows:

17       (1) No person may practice as a medical assistant-certified,  
18 medical assistant-hemodialysis technician, medical assistant-  
19 phlebotomist, medical assistant-EMT, or forensic phlebotomist unless  
20 he or she is certified under RCW 18.360.040.

21       (2) No person may practice as a medical assistant-registered  
22 unless he or she is registered under RCW 18.360.040.

23       **Sec. 3.** RCW 18.360.030 and 2019 c 55 s 8 are each amended to  
24 read as follows:

25       (1) The secretary shall adopt rules specifying the minimum  
26 qualifications for a medical assistant-certified, medical assistant-  
27 hemodialysis technician, medical assistant-phlebotomist, medical  
28 assistant-EMT, and forensic phlebotomist.

29       (a) The qualifications for a medical assistant-hemodialysis  
30 technician must be equivalent to the qualifications for hemodialysis  
31 technicians regulated pursuant to chapter 18.135 RCW as of January 1,  
32 2012.

33       (b) The qualifications for a forensic phlebotomist must include  
34 training consistent with the occupational safety and health  
35 administration guidelines and must include between twenty and thirty  
36 hours of work in a clinical setting with the completion of more than  
37 one hundred successful venipunctures. The secretary may not require

1 more than ((forty)) 40 hours of classroom training for initial  
2 training, which may include online preclass homework.

3 (c) The qualifications for a medical assistant-EMT must be  
4 consistent with the qualifications for the emergency medical  
5 technician certification pursuant to RCW 18.73.081; the advanced  
6 emergency medical technician certification pursuant to RCW 18.71.205;  
7 or the paramedic certification pursuant to RCW 18.71.205. The  
8 secretary must ensure that any person with an emergency medical  
9 technician, advanced emergency medical technician, or paramedic  
10 certification is eligible for a medical assistant-EMT certification  
11 with no additional training or examination requirements if the  
12 certification for the emergency medical technician, advanced  
13 emergency medical technician, or a paramedic is in good standing.

14 (2) The secretary shall adopt rules that establish the minimum  
15 requirements necessary for a health care practitioner, clinic, or  
16 group practice to endorse a medical assistant as qualified to perform  
17 the duties authorized by this chapter and be able to file an  
18 attestation of that endorsement with the department.

19 ~~((3) The Washington medical commission, the board of osteopathic~~  
20 ~~medicine and surgery, the podiatric medical board, the nursing care~~  
21 ~~quality assurance commission, the board of naturopathy, and the~~  
22 ~~optometry board shall each review and identify other specialty~~  
23 ~~assistive personnel not included in this chapter and the tasks they~~  
24 ~~perform. The department of health shall compile the information from~~  
25 ~~each disciplining authority listed in this subsection and submit the~~  
26 ~~compiled information to the legislature no later than December 15,~~  
27 ~~2012.))~~

28 **Sec. 4.** RCW 18.360.040 and 2023 c 134 s 2 are each amended to  
29 read as follows:

30 (1)(a) The secretary shall issue a certification as a medical  
31 assistant-certified to any person who has satisfactorily completed a  
32 medical assistant training program approved by the secretary, passed  
33 an examination approved by the secretary, and met any additional  
34 qualifications established under RCW 18.360.030.

35 (b) The secretary shall issue an interim certification to any  
36 person who has met all of the qualifications in (a) of this  
37 subsection, except for the passage of the examination. A person  
38 holding an interim permit possesses the full scope of practice of a  
39 medical assistant-certified. The interim permit expires upon passage

1 of the examination and issuance of a certification, or after one  
2 year, whichever occurs first, and may not be renewed.

3 (2) (a) The secretary shall issue a certification as a medical  
4 assistant-hemodialysis technician to any person who meets the  
5 qualifications for a medical assistant-hemodialysis technician  
6 established under RCW 18.360.030.

7 (b) In order to allow sufficient time for the processing of a  
8 medical assistant-hemodialysis technician certification, applicants  
9 for that credential who have completed their training program are  
10 allowed to continue to work at dialysis facilities, under the level  
11 of supervision required for the training program, for a period of up  
12 to 180 days after filing their application, to facilitate patient  
13 continuity of care.

14 (3) (a) The secretary shall issue a certification as a medical  
15 assistant-phlebotomist to any person who meets the qualifications for  
16 a medical assistant-phlebotomist established under RCW 18.360.030.

17 (b) In order to allow sufficient time for the processing of a  
18 medical assistant-phlebotomist certification, applicants for that  
19 credential who have completed their training program are allowed to  
20 work, under the level of supervision required for the training  
21 program, for a period of up to 180 days after filing their  
22 application, to facilitate access to services.

23 (4) The secretary shall issue a certification as a medical  
24 assistant-EMT to any person who meets the qualifications for a  
25 medical assistant-EMT established under RCW 18.360.030.

26 (5) The secretary shall issue a certification as a forensic  
27 phlebotomist to any person who meets the qualifications for a  
28 forensic phlebotomist established under RCW 18.360.030.

29 ((+5+)) (6) (a) The secretary shall issue a registration as a  
30 medical assistant-registered to any person who has a current  
31 endorsement from a health care practitioner, clinic, or group  
32 practice.

33 (b) In order to be endorsed under this subsection ((+5+)) (6), a  
34 person must:

35 (i) Be endorsed by a health care practitioner, clinic, or group  
36 practice that meets the qualifications established under RCW  
37 18.360.030; and

38 (ii) Have a current attestation of his or her endorsement to  
39 perform specific medical tasks signed by a supervising health care  
40 practitioner filed with the department. A medical assistant-

1 registered may only perform the medical tasks listed in his or her  
2 current attestation of endorsement.

3 (c) A registration based on an endorsement by a health care  
4 practitioner, clinic, or group practice is not transferable to  
5 another health care practitioner, clinic, or group practice.

6 (d) An applicant for registration as a medical assistant-  
7 registered who applies to the department within seven days of  
8 employment by the endorsing health care practitioner, clinic, or  
9 group practice may work as a medical assistant-registered for up to  
10 sixty days while the application is processed. The applicant must  
11 stop working on the sixtieth day of employment if the registration  
12 has not been granted for any reason.

13 ~~((+6))~~ (7) A certification issued under subsections (1) through  
14 (3) of this section is transferable between different practice  
15 settings. A certification under subsection (4) of this section is  
16 transferable only between hospitals licensed under chapter 70.41 RCW.  
17 A certification under subsection ~~((+4))~~ (5) of this section is  
18 transferable between law enforcement agencies.

19 **Sec. 5.** RCW 18.360.050 and 2023 c 134 s 3 are each amended to  
20 read as follows:

21 (1) A medical assistant-certified may perform the following  
22 duties delegated by, and under the supervision of, a health care  
23 practitioner:

24 (a) Fundamental procedures:

25 (i) Wrapping items for autoclaving;

26 (ii) Procedures for sterilizing equipment and instruments;

27 (iii) Disposing of biohazardous materials; and

28 (iv) Practicing standard precautions.

29 (b) Clinical procedures:

30 (i) Performing aseptic procedures in a setting other than a  
31 hospital licensed under chapter 70.41 RCW;

32 (ii) Preparing of and assisting in sterile procedures in a  
33 setting other than a hospital under chapter 70.41 RCW;

34 (iii) Taking vital signs;

35 (iv) Preparing patients for examination;

36 (v) Capillary blood withdrawal, venipuncture, and intradermal,  
37 subcutaneous, and intramuscular injections; and

38 (vi) Observing and reporting patients' signs or symptoms.

39 (c) Specimen collection:

1 (i) Capillary puncture and venipuncture;  
2 (ii) Obtaining specimens for microbiological testing; and  
3 (iii) Instructing patients in proper technique to collect urine  
4 and fecal specimens.  
5 (d) Diagnostic testing:  
6 (i) Electrocardiography;  
7 (ii) Respiratory testing; and  
8 (iii)(A) Tests waived under the federal clinical laboratory  
9 improvement amendments program on July 1, 2013. The department shall  
10 periodically update the tests authorized under this subsection (1)(d)  
11 based on changes made by the federal clinical laboratory improvement  
12 amendments program; and  
13 (B) Moderate complexity tests if the medical assistant-certified  
14 meets standards for personnel qualifications and responsibilities in  
15 compliance with federal regulation for nonwaived testing.  
16 (e) Patient care:  
17 (i) Telephone and in-person screening limited to intake and  
18 gathering of information without requiring the exercise of judgment  
19 based on clinical knowledge;  
20 (ii) Obtaining vital signs;  
21 (iii) Obtaining and recording patient history;  
22 (iv) Preparing and maintaining examination and treatment areas;  
23 (v) Preparing patients for, and assisting with, routine and  
24 specialty examinations, procedures, treatments, and minor office  
25 surgeries;  
26 (vi) Maintaining medication and immunization records; and  
27 (vii) Screening and following up on test results as directed by a  
28 health care practitioner.  
29 (f)(i) Administering medications. A medical assistant-certified  
30 may only administer medications if the drugs are:  
31 (A) Administered only by unit or single dosage, or by a dosage  
32 calculated and verified by a health care practitioner. For purposes  
33 of this section, a combination or multidose vaccine shall be  
34 considered a unit dose;  
35 (B) Limited to legend drugs, vaccines, and Schedule III-V  
36 controlled substances as authorized by a health care practitioner  
37 under the scope of his or her license and consistent with rules  
38 adopted by the secretary under (f)(ii) of this subsection; and  
39 (C) Administered pursuant to a written order from a health care  
40 practitioner.



1 (ii) A medical assistant-certified may not administer  
2 experimental drugs or chemotherapy agents. The secretary may, by  
3 rule, further limit the drugs that may be administered under this  
4 subsection (1)(f). The rules adopted under this subsection must limit  
5 the drugs based on risk, class, or route.

6 (g) Intravenous injections. A medical assistant-certified may  
7 establish intravenous lines for diagnostic or therapeutic purposes,  
8 without administering medications, under the supervision of a health  
9 care practitioner, and administer intravenous injections for  
10 diagnostic or therapeutic agents under the direct visual supervision  
11 of a health care practitioner if the medical assistant-certified  
12 meets minimum standards established by the secretary in rule. The  
13 minimum standards must be substantially similar to the qualifications  
14 for category D and F health care assistants as they exist on July 1,  
15 2013.

16 (h) Urethral catheterization when appropriately trained.

17 (2) A medical assistant-hemodialysis technician may perform  
18 hemodialysis when delegated and supervised by a health care  
19 practitioner. A medical assistant-hemodialysis technician may also  
20 administer drugs and oxygen to a patient when delegated and  
21 supervised by a health care practitioner and pursuant to rules  
22 adopted by the secretary.

23 (3) A medical assistant-phlebotomist may perform:

24 (a) Capillary, venous, or arterial invasive procedures for blood  
25 withdrawal when delegated and supervised by a health care  
26 practitioner and pursuant to rules adopted by the secretary;

27 (b) Tests waived under the federal clinical laboratory  
28 improvement amendments program on July 1, 2013. The department shall  
29 periodically update the tests authorized under this section based on  
30 changes made by the federal clinical laboratory improvement  
31 amendments program;

32 (c) Moderate and high complexity tests if the medical assistant-  
33 phlebotomist meets standards for personnel qualifications and  
34 responsibilities in compliance with federal regulation for nonwaived  
35 testing; and

36 (d) Electrocardiograms.

37 (4) A medical assistant-registered may perform the following  
38 duties delegated by, and under the supervision of, a health care  
39 practitioner:

40 (a) Fundamental procedures:

1 (i) Wrapping items for autoclaving;  
2 (ii) Procedures for sterilizing equipment and instruments;  
3 (iii) Disposing of biohazardous materials; and  
4 (iv) Practicing standard precautions.  
5 (b) Clinical procedures:  
6 (i) Preparing for sterile procedures;  
7 (ii) Taking vital signs;  
8 (iii) Preparing patients for examination; and  
9 (iv) Observing and reporting patients' signs or symptoms.  
10 (c) Specimen collection:  
11 (i) Obtaining specimens for microbiological testing; and  
12 (ii) Instructing patients in proper technique to collect urine  
13 and fecal specimens.  
14 (d) Patient care:  
15 (i) Telephone and in-person screening limited to intake and  
16 gathering of information without requiring the exercise of judgment  
17 based on clinical knowledge;  
18 (ii) Obtaining vital signs;  
19 (iii) Obtaining and recording patient history;  
20 (iv) Preparing and maintaining examination and treatment areas;  
21 (v) Preparing patients for, and assisting with, routine and  
22 specialty examinations, procedures, treatments, and minor office  
23 surgeries, including those with minimal sedation. The department may,  
24 by rule, prohibit duties authorized under this subsection (4)(d)(v)  
25 if performance of those duties by a medical assistant-registered  
26 would pose an unreasonable risk to patient safety;  
27 (vi) Maintaining medication and immunization records; and  
28 (vii) Screening and following up on test results as directed by a  
29 health care practitioner.  
30 (e) Diagnostic testing and electrocardiography.  
31 (f)(i) Tests waived under the federal clinical laboratory  
32 improvement amendments program on July 1, 2013. The department shall  
33 periodically update the tests authorized under subsection (1)(d) of  
34 this section based on changes made by the federal clinical laboratory  
35 improvement amendments program.  
36 (ii) Moderate complexity tests if the medical assistant-  
37 registered meets standards for personnel qualifications and  
38 responsibilities in compliance with federal regulation for nonwaived  
39 testing.

1 (g) Administering eye drops, topical ointments, and vaccines,  
2 including combination or multidose vaccines.

3 (h) Urethral catheterization when appropriately trained.

4 (i) Administering medications:

5 (i) A medical assistant-registered may only administer  
6 medications if the drugs are:

7 (A) Administered only by unit or single dosage, or by a dosage  
8 calculated and verified by a health care practitioner. For purposes  
9 of this section, a combination or multidose vaccine shall be  
10 considered a unit dose;

11 (B) Limited to legend drugs, vaccines, and Schedule III through V  
12 controlled substances as authorized by a health care practitioner  
13 under the scope of his or her license and consistent with rules  
14 adopted by the secretary under (i)(ii) of this subsection; and

15 (C) Administered pursuant to a written order from a health care  
16 practitioner.

17 (ii) A medical assistant-registered may only administer  
18 medication for intramuscular injections. A medical assistant-  
19 registered may not administer experimental drugs or chemotherapy  
20 agents. The secretary may, by rule, further limit the drugs that may  
21 be administered under this subsection (4)(i). The rules adopted under  
22 this subsection must limit the drugs based on risk, class, or route.

23 (j) Intramuscular injections. A medical assistant-registered may  
24 administer intramuscular injections for diagnostic or therapeutic  
25 agents under the immediate supervision of a health care practitioner  
26 if the medical assistant-registered meets minimum standards  
27 established by the secretary in rule.

28 (5)(a) A medical assistant-EMT may perform the following duties  
29 delegated by, and under the supervision of, a health care  
30 practitioner if the duties are within the scope, training, and  
31 endorsements of the medical assistant-EMT's emergency medical  
32 technician, advanced emergency medical technician, or paramedic  
33 certification:

34 (i) Fundamental procedures:

35 (A) Disposing of biohazardous materials; and

36 (B) Practicing standard precautions;

37 (ii) Clinical procedures:

38 (A) Taking vital signs;

39 (B) Preparing patients for examination;

40 (C) Observing and reporting patients' signs or symptoms;

1       (D) Simple eye irrigation;  
2       (E) Hemorrhage control with direct pressure or hemostatic gauze;  
3       (F) Spinal and extremity motion restriction and immobilization;  
4       (G) Oxygen administration;  
5       (H) Airway maintenance, stabilization, and suctioning;  
6       (I) Cardiopulmonary resuscitation; and  
7       (J) Use of automated external defibrillators and semiautomated  
8 external defibrillators;  
9       (iii) Specimen collection:  
10       (A) Capillary puncture and venipuncture; and  
11       (B) Instructing patients in proper technique to collect urine and  
12 fecal specimens;  
13       (iv) Diagnostic testing:  
14       (A) Electrocardiography; and  
15       (B) Respiratory testing, including nasopharyngeal swabbing for  
16 COVID-19;  
17       (v) Patient care:  
18       (A) Telephone and in-person screening, limited to intake and  
19 gathering of information without requiring the exercise of judgment  
20 based on clinical knowledge;  
21       (B) Obtaining vital signs;  
22       (C) Obtaining and recording patient history; and  
23       (D) Preparing and maintaining examination and treatment areas;  
24       (vi) Administering medications: A medical assistant-EMT may only  
25 administer medications if the drugs are:  
26       (A) Administered only by unit or single dosage, or by a dosage  
27 calculated and verified by a health care practitioner. For purposes  
28 of this subsection, a combination or multidose vaccine shall be  
29 considered a unit dose;  
30       (B) Limited to vaccines, opioid antagonists, and oral glucose, as  
31 authorized by a health care practitioner under the scope of his or  
32 her license and consistent with rules adopted by the secretary under  
33 (b) of this subsection; and  
34       (C) Administered pursuant to a written order from a health care  
35 practitioner; and  
36       (vii) Establishing intravenous lines: A medical assistant-EMT may  
37 establish intravenous lines for diagnostic or therapeutic purposes,  
38 without administering medications, and remove intravenous lines under  
39 the supervision of a health care practitioner.

1 (b) The secretary may, by rule, further limit the drugs that may  
2 be administered under this subsection. The rules adopted under this  
3 subsection must limit the drugs based on risk, class, or route.

4 **Sec. 6.** RCW 18.120.020 and 2023 c 460 s 14 and 2023 c 175 s 9  
5 are each reenacted and amended to read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Applicant group" includes any health professional group or  
9 organization, any individual, or any other interested party which  
10 proposes that any health professional group not presently regulated  
11 be regulated or which proposes to substantially increase the scope of  
12 practice of the profession.

13 (2) "Certificate" and "certification" mean a voluntary process by  
14 which a statutory regulatory entity grants recognition to an  
15 individual who (a) has met certain prerequisite qualifications  
16 specified by that regulatory entity, and (b) may assume or use  
17 "certified" in the title or designation to perform prescribed health  
18 professional tasks.

19 (3) "Grandfather clause" means a provision in a regulatory  
20 statute applicable to practitioners actively engaged in the regulated  
21 health profession prior to the effective date of the regulatory  
22 statute which exempts the practitioners from meeting the prerequisite  
23 qualifications set forth in the regulatory statute to perform  
24 prescribed occupational tasks.

25 (4) "Health professions" means and includes the following health  
26 and health-related licensed or regulated professions and occupations:  
27 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic  
28 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;  
29 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;  
30 dental anesthesia assistants under chapter 18.350 RCW; dispensing  
31 opticians under chapter 18.34 RCW; hearing instruments under chapter  
32 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and  
33 funeral directing under chapter 18.39 RCW; midwifery under chapter  
34 18.50 RCW; nursing home administration under chapter 18.52 RCW;  
35 optometry under chapters 18.53 and 18.54 RCW; ocularists under  
36 chapter 18.55 RCW; osteopathic medicine and surgery under chapter  
37 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine  
38 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter  
39 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses

1 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;  
2 registered nurses under chapter 18.79 RCW; occupational therapists  
3 licensed under chapter 18.59 RCW; respiratory care practitioners  
4 licensed under chapter 18.89 RCW; veterinarians and veterinary  
5 technicians under chapter 18.92 RCW; massage therapists under chapter  
6 18.108 RCW; acupuncturists or acupuncture and Eastern medicine  
7 practitioners licensed under chapter 18.06 RCW; persons registered  
8 under chapter 18.19 RCW; persons licensed as mental health  
9 counselors, marriage and family therapists, and social workers under  
10 chapter 18.225 RCW; dietitians and nutritionists certified by chapter  
11 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing  
12 assistants registered or certified under chapter 18.88A RCW;  
13 reflexologists certified under chapter 18.108 RCW; medical  
14 assistants-certified, medical assistants-hemodialysis technician,  
15 medical assistants-phlebotomist, forensic phlebotomist, medical  
16 assistant-EMT, and medical assistants-registered certified and  
17 registered under chapter 18.360 RCW; licensed behavior analysts,  
18 licensed assistant behavior analysts, and certified behavior  
19 technicians under chapter 18.380 RCW; music therapists licensed under  
20 chapter 18.233 RCW; and dental therapists licensed under chapter  
21 18.265 RCW.

22 (5) "Inspection" means the periodic examination of practitioners  
23 by a state agency in order to ascertain whether the practitioners'  
24 occupation is being carried out in a fashion consistent with the  
25 public health, safety, and welfare.

26 (6) "Legislative committees of reference" means the standing  
27 legislative committees designated by the respective rules committees  
28 of the senate and house of representatives to consider proposed  
29 legislation to regulate health professions not previously regulated.

30 (7) "License," "licensing," and "licensure" mean permission to  
31 engage in a health profession which would otherwise be unlawful in  
32 the state in the absence of the permission. A license is granted to  
33 those individuals who meet prerequisite qualifications to perform  
34 prescribed health professional tasks and for the use of a particular  
35 title.

36 (8) "Practitioner" means an individual who (a) has achieved  
37 knowledge and skill by practice, and (b) is actively engaged in a  
38 specified health profession.

39 (9) "Professional license" means an individual, nontransferable  
40 authorization to carry on a health activity based on qualifications

1 which include: (a) Graduation from an accredited or approved program,  
2 and (b) acceptable performance on a qualifying examination or series  
3 of examinations.

4 (10) "Public member" means an individual who is not, and never  
5 was, a member of the health profession being regulated or the spouse  
6 of a member, or an individual who does not have and never has had a  
7 material financial interest in either the rendering of the health  
8 professional service being regulated or an activity directly related  
9 to the profession being regulated.

10 (11) "Registration" means the formal notification which, prior to  
11 rendering services, a practitioner shall submit to a state agency  
12 setting forth the name and address of the practitioner; the location,  
13 nature and operation of the health activity to be practiced; and, if  
14 required by the regulatory entity, a description of the service to be  
15 provided.

16 (12) "Regulatory entity" means any board, commission, agency,  
17 division, or other unit or subunit of state government which  
18 regulates one or more professions, occupations, industries,  
19 businesses, or other endeavors in this state.

20 (13) "State agency" includes every state office, department,  
21 board, commission, regulatory entity, and agency of the state, and,  
22 where provided by law, programs and activities involving less than  
23 the full responsibility of a state agency.

24 **Sec. 7.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15,  
25 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s  
26 21 are each reenacted and amended to read as follows:

27 (1) This chapter applies only to the secretary and the boards and  
28 commissions having jurisdiction in relation to the professions  
29 licensed under the chapters specified in this section. This chapter  
30 does not apply to any business or profession not licensed under the  
31 chapters specified in this section.

32 (2)(a) The secretary has authority under this chapter in relation  
33 to the following professions:

34 (i) Dispensing opticians licensed and designated apprentices  
35 under chapter 18.34 RCW;

36 (ii) Midwives licensed under chapter 18.50 RCW;

37 (iii) Ocularists licensed under chapter 18.55 RCW;

38 (iv) Massage therapists and businesses licensed under chapter  
39 18.108 RCW;

1 (v) Dental hygienists licensed under chapter 18.29 RCW;  
2 (vi) Acupuncturists or acupuncture and Eastern medicine  
3 practitioners licensed under chapter 18.06 RCW;  
4 (vii) Radiologic technologists certified and X-ray technicians  
5 registered under chapter 18.84 RCW;  
6 (viii) Respiratory care practitioners licensed under chapter  
7 18.89 RCW;  
8 (ix) Hypnotherapists registered, agency affiliated counselors  
9 registered, certified, or licensed, and advisors and counselors  
10 certified under chapter 18.19 RCW;  
11 (x) Persons licensed as mental health counselors, mental health  
12 counselor associates, marriage and family therapists, marriage and  
13 family therapist associates, social workers, social work associates—  
14 advanced, and social work associates—independent clinical under  
15 chapter 18.225 RCW;  
16 (xi) Persons registered as nursing pool operators under chapter  
17 18.52C RCW;  
18 (xii) Nursing assistants registered or certified or medication  
19 assistants endorsed under chapter 18.88A RCW;  
20 (xiii) Dietitians and nutritionists certified under chapter  
21 18.138 RCW;  
22 (xiv) Substance use disorder professionals, substance use  
23 disorder professional trainees, or co-occurring disorder specialists  
24 certified under chapter 18.205 RCW;  
25 (xv) Sex offender treatment providers and certified affiliate sex  
26 offender treatment providers certified under chapter 18.155 RCW;  
27 (xvi) Persons licensed and certified under chapter 18.73 RCW or  
28 RCW 18.71.205;  
29 (xvii) Orthotists and prosthetists licensed under chapter 18.200  
30 RCW;  
31 (xviii) Surgical technologists registered under chapter 18.215  
32 RCW;  
33 (xix) Recreational therapists under chapter 18.230 RCW;  
34 (xx) Animal massage therapists certified under chapter 18.240  
35 RCW;  
36 (xxi) Athletic trainers licensed under chapter 18.250 RCW;  
37 (xxii) Home care aides certified under chapter 18.88B RCW;  
38 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;  
39 (xxiv) Reflexologists certified under chapter 18.108 RCW;



1 (xxv) Medical assistants-certified, medical assistants-  
2 hemodialysis technician, medical assistants-phlebotomist, forensic  
3 phlebotomist, medical-assistant-EMT, and medical assistants-  
4 registered certified and registered under chapter 18.360 RCW;

5 (xxvi) Behavior analysts, assistant behavior analysts, and  
6 behavior technicians under chapter 18.380 RCW;

7 (xxvii) Birth doulas certified under chapter 18.47 RCW;

8 (xxviii) Music therapists licensed under chapter 18.233 RCW;

9 (xxix) Behavioral health support specialists certified under  
10 chapter 18.227 RCW; and

11 (xxx) Certified peer specialists and certified peer specialist  
12 trainees under chapter 18.420 RCW.

13 (b) The boards and commissions having authority under this  
14 chapter are as follows:

15 (i) The podiatric medical board as established in chapter 18.22  
16 RCW;

17 (ii) The chiropractic quality assurance commission as established  
18 in chapter 18.25 RCW;

19 (iii) The dental quality assurance commission as established in  
20 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,  
21 licenses and registrations issued under chapter 18.260 RCW, licenses  
22 issued under chapter 18.265 RCW, and certifications issued under  
23 chapter 18.350 RCW;

24 (iv) The board of hearing and speech as established in chapter  
25 18.35 RCW;

26 (v) The board of examiners for nursing home administrators as  
27 established in chapter 18.52 RCW;

28 (vi) The optometry board as established in chapter 18.54 RCW  
29 governing licenses issued under chapter 18.53 RCW;

30 (vii) The board of osteopathic medicine and surgery as  
31 established in chapter 18.57 RCW governing licenses issued under  
32 chapter 18.57 RCW;

33 (viii) The pharmacy quality assurance commission as established  
34 in chapter 18.64 RCW governing licenses issued under chapters 18.64  
35 and 18.64A RCW;

36 (ix) The Washington medical commission as established in chapter  
37 18.71 RCW governing licenses and registrations issued under chapters  
38 18.71 and 18.71A RCW;

39 (x) The board of physical therapy as established in chapter 18.74  
40 RCW;

1           (xi) The board of occupational therapy practice as established in  
2 chapter 18.59 RCW;

3           (xii) The board of nursing as established in chapter 18.79 RCW  
4 governing licenses and registrations issued under that chapter and  
5 under chapter 18.80 RCW;

6           (xiii) The examining board of psychology and its disciplinary  
7 committee as established in chapter 18.83 RCW;

8           (xiv) The veterinary board of governors as established in chapter  
9 18.92 RCW;

10          (xv) The board of naturopathy established in chapter 18.36A RCW,  
11 governing licenses and certifications issued under that chapter; and

12          (xvi) The board of denturists established in chapter 18.30 RCW.

13          (3) In addition to the authority to discipline license holders,  
14 the disciplining authority has the authority to grant or deny  
15 licenses. The disciplining authority may also grant a license subject  
16 to conditions.

17          (4) All disciplining authorities shall adopt procedures to ensure  
18 substantially consistent application of this chapter, the uniform  
19 disciplinary act, among the disciplining authorities listed in  
20 subsection (2) of this section.

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