

SB 5184 - H COMM AMD

By Committee on Health Care & Wellness

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "Anesthesiologist" means an actively practicing, board-
7 eligible physician licensed under chapter 18.71 or 18.57 RCW who has
8 completed a residency in anesthesiology approved by the American
9 board of anesthesiology or the American osteopathic board of
10 anesthesiology.

11 (2) "Anesthesiologist assistant" means a person who is licensed
12 by the commission to assist in developing and implementing anesthesia
13 care plans for patients under the supervision of an anesthesiologist
14 or group of anesthesiologists approved by the commission to supervise
15 such assistant.

16 (3) "Assists" means the anesthesiologist assistant personally
17 performs those duties and responsibilities delegated by the
18 anesthesiologist. Delegated services must be consistent with the
19 delegating anesthesiologist's education, training, experience, and
20 active practice. Delegated services must be of the type that a
21 reasonable and prudent anesthesiologist would find within the scope
22 of sound medical judgment to delegate.

23 (4) "Commission" means the Washington medical commission.

24 (5) "Practice medicine" has the meaning defined in RCW 18.71.011.

25 (6) "Secretary" means the secretary of health or the secretary's
26 designee.

27 (7) "Supervision" means the immediate availability of the
28 medically directing anesthesiologist for consultation and direction
29 of the activities of the anesthesiologist assistant. A medically
30 directing anesthesiologist is immediately available if they are in
31 physical proximity that allows the anesthesiologist to reestablish

1 direct contact with the patient to meet medical needs and any urgent
2 or emergent clinical problems, and personally participating in the
3 most demanding procedures of the anesthesia plan including, if
4 applicable, induction and emergence. These responsibilities may also
5 be met through coordination among anesthesiologists of the same group
6 or department.

7 NEW SECTION. **Sec. 2.** (1) The commission shall adopt rules
8 fixing the qualifications and the educational and training
9 requirements for licensure as an anesthesiologist assistant. The
10 requirements shall include completion of an anesthesiologist
11 assistant program accredited by the commission on accreditation of
12 allied health education programs, or successor organization, and
13 within one year successfully taking and passing an examination
14 administered by the national commission for the certification of
15 anesthesiologist assistants or other examination approved by the
16 commission.

17 (2) Applicants for licensure shall file an application with the
18 commission on a form prepared by the secretary with the approval of
19 the commission, detailing the education, training, and experience of
20 the applicant and such other information as the commission may
21 require. The application shall be accompanied by a fee determined by
22 the secretary as provided in RCW 43.70.250 and 43.70.280. Each
23 applicant shall furnish proof satisfactory to the commission of the
24 following:

25 (a) That the applicant has completed an accredited
26 anesthesiologist assistant program approved by the commission and is
27 eligible to take the examination approved by the commission; and

28 (b) That the applicant is physically and mentally capable of
29 practicing as an anesthesiologist assistant with reasonable skill and
30 safety. The commission may require an applicant to submit to such
31 examination or examinations as it deems necessary to determine an
32 applicant's physical or mental capability, or both, to safely
33 practice as an anesthesiologist assistant.

34 (3) (a) The commission may approve, deny, or take other
35 disciplinary action upon the application for a license as provided in
36 the uniform disciplinary act, chapter 18.130 RCW.

37 (b) The license shall be renewed as determined under RCW
38 43.70.250 and 43.70.280. The commission shall request licensees to
39 submit information about their current professional practice at the

1 time of license renewal and licensees must provide the information
2 requested.

3 (4) No person shall practice as an anesthesiologist assistant or
4 represent that they are a "certified anesthesiologist assistant" or
5 "anesthesiologist assistant" or "C.A.A." or "A.A." without a license
6 granted by the commission.

7 NEW SECTION. **Sec. 3.** (1) The commission shall adopt rules
8 establishing the requirements and limitations on the practice by and
9 supervision of anesthesiologist assistants, including the number of
10 anesthesiologist assistants an anesthesiologist may supervise
11 concurrently. Unless approved by the commission, an anesthesiologist
12 may not concurrently supervise more than four specific, individual
13 anesthesiologist assistants at any one time.

14 (2) The commission may adopt rules for the arrangement of other
15 anesthesiologists to serve as backup or on-call supervising
16 anesthesiologists for multiple anesthesiologist assistants.

17 NEW SECTION. **Sec. 4.** (1) An anesthesiologist assistant may not
18 exceed the scope of their supervising anesthesiologist's practice and
19 may assist with those duties and responsibilities delegated to them
20 by the supervising anesthesiologist, and for which they are competent
21 to assist with based on their education, training, and experience.
22 Duties which an anesthesiologist may delegate to an anesthesiologist
23 assistant include but are not limited to:

24 (a) Assisting with preoperative anesthetic evaluations,
25 postoperative anesthetic evaluations, and patient progress notes, all
26 to be cosigned by the supervising anesthesiologist within 24 hours;

27 (b) Administering and assisting with preoperative consultations;

28 (c) Under the supervising anesthesiologist's consultation and
29 direction, order perioperative pharmaceutical agents, medications,
30 and fluids, to be used only at the facility where ordered, including
31 but not limited to controlled substances, which may be administered
32 prior to the cosignature of the supervising anesthesiologist. The
33 supervising anesthesiologist may review and if required by the
34 facility or institutional policy must cosign these orders in a timely
35 manner;

36 (d) Changing or discontinuing a medical treatment plan, after
37 consultation with the supervising anesthesiologist;

- 1 (e) Calibrating anesthesia delivery systems and obtaining and
2 interpreting information from the systems and monitors, in
3 consultation with an anesthesiologist;
- 4 (f) Assisting the supervising anesthesiologist with the
5 implementation of medically accepted monitoring techniques;
- 6 (g) Assisting with basic and advanced airway interventions,
7 including but not limited to endotracheal intubation, laryngeal mask
8 insertion, and other advanced airways techniques;
- 9 (h) Establishing peripheral intravenous lines, including
10 subcutaneous lidocaine use;
- 11 (i) Establishing radial and dorsalis pedis arterial lines;
- 12 (j) Assisting with general anesthesia, including induction,
13 maintenance, and emergence;
- 14 (k) Assisting with procedures associated with general anesthesia,
15 such as but not limited to gastric intubation;
- 16 (l) Administering intermittent vasoactive drugs and starting and
17 titrating vasoactive infusions for the treatment of patient responses
18 to anesthesia;
- 19 (m) Assisting with spinal and intravenous regional anesthesia;
- 20 (n) Maintaining and managing established neuraxial epidurals and
21 regional anesthesia;
- 22 (o) Assisting with monitored anesthesia care;
- 23 (p) Evaluating and managing patient controlled analgesia,
24 epidural catheters, and peripheral nerve catheters;
- 25 (q) Obtaining venous and arterial blood samples;
- 26 (r) Assisting with, ordering, and interpreting appropriate
27 preoperative, point of care, intraoperative, or postoperative
28 diagnostic tests or procedures as authorized by the supervising
29 anesthesiologist;
- 30 (s) Obtaining and administering perioperative anesthesia and
31 related pharmaceutical agents including intravenous fluids and blood
32 products;
- 33 (t) Participating in management of the patient while in the
34 preoperative suite and recovery area;
- 35 (u) Providing assistance to a cardiopulmonary resuscitation team
36 in response to a life-threatening situation;
- 37 (v) Participating in administrative, research, and clinical
38 teaching activities as authorized by the supervising
39 anesthesiologist; and

1 (w) Assisting with such other tasks not prohibited by law under
2 the supervision of a licensed anesthesiologist that an
3 anesthesiologist assistant has been trained and is proficient to
4 assist with.

5 (2) Nothing in this section shall be construed to prevent an
6 anesthesiologist assistant from having access to and being able to
7 obtain drugs as directed by the supervising anesthesiologist. An
8 anesthesiologist assistant may not prescribe, order, compound, or
9 dispense drugs, medications, or devices of any kind.

10 NEW SECTION. **Sec. 5.** No anesthesiologist who supervises a
11 licensed anesthesiologist assistant in accordance with and within the
12 terms of any permission granted by the commission is considered as
13 aiding and abetting an unlicensed person to practice medicine. The
14 supervising anesthesiologist and anesthesiologist assistant shall
15 retain professional and personal responsibility for any act which
16 constitutes the practice of medicine as defined in RCW 18.71.011 when
17 performed by the anesthesiologist assistant.

18 NEW SECTION. **Sec. 6.** An anesthesiologist assistant may sign and
19 attest to any certificates, cards, forms, or other required
20 documentation that the anesthesiologist assistant's supervising
21 anesthesiologist may sign, provided that it is within the
22 anesthesiologist assistant's scope of practice.

23 NEW SECTION. **Sec. 7.** (1) The uniform disciplinary act, chapter
24 18.130 RCW, governs the issuance and denial of licenses and the
25 discipline of licensees under this chapter.

26 (2) The commission shall consult with the board of osteopathic
27 medicine and surgery when investigating allegations of unprofessional
28 conduct against a licensee who has a supervising anesthesiologist
29 license under chapter 18.57 RCW.

30 **Sec. 8.** RCW 18.130.040 and 2023 c 469 s 18, 2023 c 460 s 15,
31 2023 c 425 s 27, 2023 c 270 s 14, 2023 c 175 s 11, and 2023 c 123 s
32 21 are each reenacted and amended to read as follows:

33 (1) This chapter applies only to the secretary and the boards and
34 commissions having jurisdiction in relation to the professions
35 licensed under the chapters specified in this section. This chapter

1 does not apply to any business or profession not licensed under the
2 chapters specified in this section.

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

5 (i) Dispensing opticians licensed and designated apprentices
6 under chapter 18.34 RCW;

7 (ii) Midwives licensed under chapter 18.50 RCW;

8 (iii) Ocularists licensed under chapter 18.55 RCW;

9 (iv) Massage therapists and businesses licensed under chapter
10 18.108 RCW;

11 (v) Dental hygienists licensed under chapter 18.29 RCW;

12 (vi) Acupuncturists or acupuncture and Eastern medicine
13 practitioners licensed under chapter 18.06 RCW;

14 (vii) Radiologic technologists certified and X-ray technicians
15 registered under chapter 18.84 RCW;

16 (viii) Respiratory care practitioners licensed under chapter
17 18.89 RCW;

18 (ix) Hypnotherapists registered, agency affiliated counselors
19 registered, certified, or licensed, and advisors and counselors
20 certified under chapter 18.19 RCW;

21 (x) Persons licensed as mental health counselors, mental health
22 counselor associates, marriage and family therapists, marriage and
23 family therapist associates, social workers, social work associates—
24 advanced, and social work associates—independent clinical under
25 chapter 18.225 RCW;

26 (xi) Persons registered as nursing pool operators under chapter
27 18.52C RCW;

28 (xii) Nursing assistants registered or certified or medication
29 assistants endorsed under chapter 18.88A RCW;

30 (xiii) Dietitians and nutritionists certified under chapter
31 18.138 RCW;

32 (xiv) Substance use disorder professionals, substance use
33 disorder professional trainees, or co-occurring disorder specialists
34 certified under chapter 18.205 RCW;

35 (xv) Sex offender treatment providers and certified affiliate sex
36 offender treatment providers certified under chapter 18.155 RCW;

37 (xvi) Persons licensed and certified under chapter 18.73 RCW or
38 RCW 18.71.205;

39 (xvii) Orthotists and prosthetists licensed under chapter 18.200
40 RCW;

1 (xviii) Surgical technologists registered under chapter 18.215
2 RCW;

3 (xix) Recreational therapists under chapter 18.230 RCW;

4 (xx) Animal massage therapists certified under chapter 18.240
5 RCW;

6 (xxi) Athletic trainers licensed under chapter 18.250 RCW;

7 (xxii) Home care aides certified under chapter 18.88B RCW;

8 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;

9 (xxiv) Reflexologists certified under chapter 18.108 RCW;

10 (xxv) Medical assistants-certified, medical assistants-
11 hemodialysis technician, medical assistants-phlebotomist, forensic
12 phlebotomist, and medical assistants-registered certified and
13 registered under chapter 18.360 RCW;

14 (xxvi) Behavior analysts, assistant behavior analysts, and
15 behavior technicians under chapter 18.380 RCW;

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

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

18 (xxix) Behavioral health support specialists certified under
19 chapter 18.227 RCW; and

20 (xxx) Certified peer specialists and certified peer specialist
21 trainees under chapter 18.420 RCW.

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

24 (i) The podiatric medical board as established in chapter 18.22
25 RCW;

26 (ii) The chiropractic quality assurance commission as established
27 in chapter 18.25 RCW;

28 (iii) The dental quality assurance commission as established in
29 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
30 licenses and registrations issued under chapter 18.260 RCW, licenses
31 issued under chapter 18.265 RCW, and certifications issued under
32 chapter 18.350 RCW;

33 (iv) The board of hearing and speech as established in chapter
34 18.35 RCW;

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

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

1 (vii) The board of osteopathic medicine and surgery as
2 established in chapter 18.57 RCW governing licenses issued under
3 chapter 18.57 RCW;

4 (viii) The pharmacy quality assurance commission as established
5 in chapter 18.64 RCW governing licenses issued under chapters 18.64
6 and 18.64A RCW;

7 (ix) The Washington medical commission as established in chapter
8 18.71 RCW governing licenses and registrations issued under chapters
9 18.71 ~~((and))~~, 18.71A ((RCW)), and 18.--- RCW (the new chapter
10 created in section 10 of this act);

11 (x) The board of physical therapy as established in chapter 18.74
12 RCW;

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

15 (xii) The board of nursing as established in chapter 18.79 RCW
16 governing licenses and registrations issued under that chapter and
17 under chapter 18.80 RCW;

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

20 (xiv) The veterinary board of governors as established in chapter
21 18.92 RCW;

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

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

25 (3) In addition to the authority to discipline license holders,
26 the disciplining authority has the authority to grant or deny
27 licenses. The disciplining authority may also grant a license subject
28 to conditions.

29 (4) All disciplining authorities shall adopt procedures to ensure
30 substantially consistent application of this chapter, the uniform
31 disciplinary act, among the disciplining authorities listed in
32 subsection (2) of this section.

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

35 The definitions in this section apply throughout this chapter
36 unless the context clearly requires otherwise.

37 (1) "Applicant group" includes any health professional group or
38 organization, any individual, or any other interested party which
39 proposes that any health professional group not presently regulated

1 be regulated or which proposes to substantially increase the scope of
2 practice of the profession.

3 (2) "Certificate" and "certification" mean a voluntary process by
4 which a statutory regulatory entity grants recognition to an
5 individual who (a) has met certain prerequisite qualifications
6 specified by that regulatory entity, and (b) may assume or use
7 "certified" in the title or designation to perform prescribed health
8 professional tasks.

9 (3) "Grandfather clause" means a provision in a regulatory
10 statute applicable to practitioners actively engaged in the regulated
11 health profession prior to the effective date of the regulatory
12 statute which exempts the practitioners from meeting the prerequisite
13 qualifications set forth in the regulatory statute to perform
14 prescribed occupational tasks.

15 (4) "Health professions" means and includes the following health
16 and health-related licensed or regulated professions and occupations:
17 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
18 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
19 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
20 dental anesthesia assistants under chapter 18.350 RCW; dispensing
21 opticians under chapter 18.34 RCW; hearing instruments under chapter
22 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and
23 funeral directing under chapter 18.39 RCW; midwifery under chapter
24 18.50 RCW; nursing home administration under chapter 18.52 RCW;
25 optometry under chapters 18.53 and 18.54 RCW; ocularists under
26 chapter 18.55 RCW; osteopathic medicine and surgery under chapter
27 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine
28 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter
29 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses
30 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;
31 registered nurses under chapter 18.79 RCW; occupational therapists
32 licensed under chapter 18.59 RCW; respiratory care practitioners
33 licensed under chapter 18.89 RCW; veterinarians and veterinary
34 technicians under chapter 18.92 RCW; massage therapists under chapter
35 18.108 RCW; acupuncturists or acupuncture and Eastern medicine
36 practitioners licensed under chapter 18.06 RCW; persons registered
37 under chapter 18.19 RCW; persons licensed as mental health
38 counselors, marriage and family therapists, and social workers under
39 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
40 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing

1 assistants registered or certified under chapter 18.88A RCW;
2 reflexologists certified under chapter 18.108 RCW; medical
3 assistants-certified, medical assistants-hemodialysis technician,
4 medical assistants-phlebotomist, forensic phlebotomist, and medical
5 assistants-registered certified and registered under chapter 18.360
6 RCW; licensed behavior analysts, licensed assistant behavior
7 analysts, and certified behavior technicians under chapter 18.380
8 RCW; music therapists licensed under chapter 18.233 RCW; ~~(and)~~
9 dental therapists licensed under chapter 18.265 RCW; and
10 anesthesiologist assistants licensed under chapter 18.--- RCW (the
11 new chapter created in section 10 of this act).

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

16 (6) "Legislative committees of reference" means the standing
17 legislative committees designated by the respective rules committees
18 of the senate and house of representatives to consider proposed
19 legislation to regulate health professions not previously regulated.

20 (7) "License," "licensing," and "licensure" mean permission to
21 engage in a health profession which would otherwise be unlawful in
22 the state in the absence of the permission. A license is granted to
23 those individuals who meet prerequisite qualifications to perform
24 prescribed health professional tasks and for the use of a particular
25 title.

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

29 (9) "Professional license" means an individual, nontransferable
30 authorization to carry on a health activity based on qualifications
31 which include: (a) Graduation from an accredited or approved program,
32 and (b) acceptable performance on a qualifying examination or series
33 of examinations.

34 (10) "Public member" means an individual who is not, and never
35 was, a member of the health profession being regulated or the spouse
36 of a member, or an individual who does not have and never has had a
37 material financial interest in either the rendering of the health
38 professional service being regulated or an activity directly related
39 to the profession being regulated.

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

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

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

15 NEW SECTION. **Sec. 10.** Sections 1 through 7 of this act
16 constitute a new chapter in Title 18 RCW."

17 Correct the title.

EFFECT: Requires the medically directing anesthesiologist to personally participate in the most demanding procedures of the anesthesia plan, including induction and emergence. Allows the responsibilities of supervision to be met through coordination among anesthesiologists of the same group or department.

Adds to the definition of an "anesthesiologist" that they must be an actively practicing, board-eligible physician.

Eliminates the issuance of a temporary license for persons who have completed an anesthesiologist assistant program, but not passed a certification examination.

Prohibits anesthesiologist assistants from exceeding the scope of the supervising anesthesiologist's practice. Removes an anesthesiologist assistant's authority to order oxygen therapy and respiratory therapy. Removes an anesthesiologist assistant's authority to obtain informed consent for anesthesia and related procedures. Allows anesthesiologist assistants to maintain and manage neuraxial epidurals, rather than assist with epidurals. Removes an anesthesiologist assistant's authority to establish central lines. Prohibits anesthesiologist assistants from prescribing, ordering, compounding, or dispensing drugs, medications, or devices.

Corrects references to physicians to apply to anesthesiologists. Updates statutes to reflect changes made in the previous legislative session.

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