
SUBSTITUTE HOUSE BILL 1409

State of Washington 63rd Legislature 2013 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Tharinger, Schmick, Cody, Clibborn, Ross, and Jinkins; by request of Department of Health)

READ FIRST TIME 02/12/13.

1 AN ACT Relating to the requirements of allopathic physician
2 licensure; amending RCW 18.71.050, 18.71.055, and 18.71.095; and adding
3 a new section to chapter 18.71 RCW; and repealing RCW 18.71.051.

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

5 **Sec. 1.** RCW 18.71.050 and 1994 sp.s. c 9 s 307 are each amended to
6 read as follows:

7 (1) Each applicant (~~who has graduated from a school of medicine~~
8 ~~located in any state, territory, or possession of the United States,~~
9 ~~the District of Columbia, or the Dominion of Canada,)) shall file an~~
10 application for licensure with the commission on a form prepared by the
11 secretary with the approval of the commission or another commission-
12 approved method. Each applicant shall furnish proof satisfactory to
13 the commission of the following:

14 (a) That the applicant has attended and graduated from a school of
15 medicine approved by the commission. The commission must adopt by rule
16 the list of commission-approved medical schools;

17 (b) Except as provided in section 3 of this act, that the applicant
18 has successfully completed (~~two years of~~) a postgraduate medical
19 training (~~in a~~) program acceptable to the commission(~~, provided that~~

1 ~~applicants graduating before July 28, 1985, may complete only one year~~
2 ~~of postgraduate medical training)). The commission must define by rule~~
3 ~~the requirements for commission-approved postgraduate medical training~~
4 ~~programs;~~

5 (c) That the applicant has successfully completed the exam
6 requirements set forth by the commission by rule;

7 (d) That the applicant, if a graduate of a medical school outside
8 of the United States, the District of Columbia, or the Dominion of
9 Canada, has completed the certification process with the educational
10 commission for foreign medical graduates;

11 (e) That the applicant has the ability to read, write, speak,
12 understand, and be understood in the English language at a level
13 acceptable for performing competent medical care in all practice
14 settings;

15 ~~((+e))~~ (f) That the applicant is of good moral character; and

16 ~~((+d))~~ (g) That the applicant is physically and mentally capable
17 of safely carrying on the practice of medicine. The commission may
18 require any applicant to submit to such examination or examinations as
19 it deems necessary to determine an applicant's physical and/or mental
20 capability to safely practice medicine.

21 (2) Nothing in this section shall be construed as prohibiting the
22 commission from requiring such additional information from applicants
23 as it deems necessary. The issuance and denial of licenses are subject
24 to chapter 18.130 RCW, the Uniform Disciplinary Act.

25 **Sec. 2.** RCW 18.71.055 and 1996 c 178 s 5 are each amended to read
26 as follows:

27 The commission may approve any school of medicine which is located
28 in any state, territory, or possession of the United States, the
29 District of Columbia, ~~((or in))~~ the Dominion of Canada, or other
30 country provided that it:

31 (1) Requires collegiate instruction which includes courses deemed
32 by the commission to be prerequisites to medical education;

33 (2) Provides adequate instruction in the following subjects:
34 Anatomy, biochemistry, microbiology and immunology, pathology,
35 pharmacology, physiology, anaesthesiology, dermatology, gynecology,
36 internal medicine, neurology, obstetrics, ophthalmology, orthopedic
37 surgery, otolaryngology, pediatrics, physical medicine and

1 rehabilitation, preventive medicine and public health, psychiatry,
2 radiology, surgery, and urology, and such other subjects determined by
3 the commission;

4 (3) Provides clinical instruction in hospital wards and outpatient
5 clinics under guidance.

6 Approval may be withdrawn by the commission at any time a medical
7 school ceases to comply with one or more of the requirements of this
8 section.

9 (4) Nothing in this section shall be construed to authorize the
10 commission to approve a school of osteopathic medicine and surgery, or
11 osteopathic medicine, for purposes of qualifying an applicant to be
12 licensed under this chapter by direct licensure, reciprocity, or
13 otherwise.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.71 RCW
15 to read as follows:

16 The commission may grant a license to an applicant upon a finding
17 by the commission that, based on the applicant's exceptional education,
18 training, and practice credentials, the applicant's practice in the
19 state would benefit the public welfare. Individually considered
20 applicants must submit an application as described in this chapter and
21 undergo the same background check processes required of all other
22 applicants for licensure. The commission shall adopt rules regarding
23 qualifications that may be considered exceptional.

24 **Sec. 4.** RCW 18.71.095 and 2001 c 114 s 1 are each amended to read
25 as follows:

26 The commission may, without examination, issue a limited license to
27 persons who possess the qualifications set forth herein:

28 (1) The commission may, upon the written request of the secretary
29 of the department of social and health services or the secretary of
30 corrections, issue a limited license to practice medicine in this state
31 to persons who have been accepted for employment by the department of
32 social and health services or the department of corrections as
33 physicians; who are licensed to practice medicine in another state of
34 the United States or in the country of Canada or any province or
35 territory thereof; and who meet all of the qualifications for licensure
36 set forth in RCW 18.71.050.

1 Such license shall permit the holder thereof to practice medicine
2 only in connection with patients, residents, or inmates of the state
3 institutions under the control and supervision of the secretary of the
4 department of social and health services or the department of
5 corrections.

6 (2) The commission may issue a limited license to practice medicine
7 in this state to persons who have been accepted for employment by a
8 county or city health department as physicians; who are licensed to
9 practice medicine in another state of the United States or in the
10 country of Canada or any province or territory thereof; and who meet
11 all of the qualifications for licensure set forth in RCW 18.71.050.

12 Such license shall permit the holder thereof to practice medicine
13 only in connection with his or her duties in employment with the city
14 or county health department.

15 (3) Upon receipt of a completed application showing that the
16 applicant meets all of the requirements for licensure set forth in RCW
17 18.71.050 except for completion of (~~two years of~~) an approved
18 postgraduate medical training program, and that the applicant has been
19 appointed as a resident physician in a program of postgraduate
20 (~~clinical~~) medical training in this state approved by the commission,
21 the commission may issue a limited license to a resident physician.
22 Such license shall permit the resident physician to practice medicine
23 only in connection with his or her duties as a resident physician and
24 shall not authorize the physician to engage in any other form of
25 practice. Each resident physician shall practice medicine only under
26 the supervision and control of a physician licensed in this state, but
27 such supervision and control shall not be construed to necessarily
28 require the personal presence of the supervising physician at the place
29 where services are rendered. After completing a minimum of twenty-four
30 months of postgraduate medical training, the holder of a limited
31 resident license may practice outside of the scope of the residency
32 appointment, otherwise known as moonlighting, if the following
33 conditions are met:

34 (a)(i) The license holder has received approval from the
35 postgraduate medical training program; and

36 (ii) The approval is filed with the commission by the license
37 holder at the time of appointment.

1 (b) The commission must be notified if the postgraduate medical
2 training program revokes the approval for any reason.

3 (4)(a) Upon nomination by the dean of the school of medicine at the
4 University of Washington or the chief executive officer of a hospital
5 or other appropriate health care facility licensed in the state of
6 Washington, the commission may issue a limited license to a physician
7 applicant invited to serve as a teaching-research member of the
8 institution's instructional staff if the sponsoring institution and the
9 applicant give evidence that he or she has graduated from a recognized
10 medical school and has been licensed or otherwise privileged to
11 practice medicine at his or her location of origin. Such license shall
12 permit the recipient to practice medicine only within the confines of
13 the instructional program specified in the application and shall
14 terminate whenever the holder ceases to be involved in that program, or
15 at the end of one year, whichever is earlier. Upon request of the
16 applicant and the institutional authority, the license may be renewed.
17 The holder of a teaching-research license under this subsection (4)(a)
18 is eligible for full licensure if the following conditions are met:

19 (i) If the applicant has not graduated from a school of medicine
20 located in any state, territory, or possession of the United States,
21 the District of Columbia, or the Dominion of Canada, the applicant must
22 satisfactorily pass the certification process by the educational
23 commission for foreign medical graduates;

24 (ii) The applicant has successfully completed the exam requirements
25 set forth by the commission by rule;

26 (iii) The applicant has the ability to read, write, speak,
27 understand, and be understood in the English language at a level
28 acceptable for performing competent medical care in all practice
29 settings;

30 (iv) The applicant has continuously held a position of associate
31 professor or higher at a recognized Washington state medical school for
32 no less than three years; and

33 (v) The applicant has had no disciplinary action taken in the
34 previous five years.

35 (b) Upon nomination by the dean of the school of medicine of the
36 University of Washington or the chief executive officer of any hospital
37 or appropriate health care facility licensed in the state of
38 Washington, the commission may issue a limited license to an applicant

1 selected by the sponsoring institution to be enrolled in one of its
2 designated departmental or divisional fellowship programs provided that
3 the applicant shall have graduated from a recognized medical school and
4 has been granted a license or other appropriate certificate to practice
5 medicine in the location of the applicant's origin. Such license shall
6 permit the holder only to practice medicine within the confines of the
7 fellowship program to which he or she has been appointed and, upon the
8 request of the applicant and the sponsoring institution, the license
9 may be renewed by the commission (~~for no more than a total of two~~
10 ~~years~~)).

11 All persons licensed under this section shall be subject to the
12 jurisdiction of the commission to the same extent as other members of
13 the medical profession, in accordance with this chapter and chapter
14 18.130 RCW.

15 Persons applying for licensure and renewing licenses pursuant to
16 this section shall comply with administrative procedures,
17 administrative requirements, and fees determined as provided in RCW
18 43.70.250 and 43.70.280. Any person who obtains a limited license
19 pursuant to this section may apply for licensure under this chapter,
20 but shall submit a new application form and comply with all other
21 licensing requirements of this chapter.

22 NEW SECTION. **Sec. 5.** RCW 18.71.051 (Application--Eligibility
23 requirements--Foreign graduates) and 2011 c 138 s 1, 1994 sp.s. c 9 s
24 308, 1991 c 3 s 162, & 1975 1st ex.s. c 171 s 16 are each repealed.

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