
SENATE BILL 5605

State of Washington

67th Legislature

2022 Regular Session

By Senator Rivers

Prefiled 12/28/21.

1 AN ACT Relating to licensure of anesthesiologist assistants;
2 amending RCW 18.130.040, 18.130.040, 18.120.020, and 18.120.020;
3 adding a new chapter to Title 18 RCW; providing an effective date;
4 and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** The definitions in this section apply
7 throughout this chapter unless the context clearly requires
8 otherwise.

9 (1) "Anesthesiologist" means a physician licensed under chapter
10 18.71 or 18.57 RCW who has completed a residency in anesthesiology
11 approved by the American board of anesthesiology or the American
12 osteopathic board of anesthesiology.

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

18 (3) "Assists" means the anesthesiologist assistant personally
19 performs those duties and responsibilities delegated by the
20 anesthesiologist. Delegated services must be consistent with the
21 delegating physician's education, training, experience, and active

1 practice. Delegated services must be of the type that a reasonable
2 and prudent physician would find within the scope of sound medical
3 judgment to delegate.

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

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

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

8 (7) "Supervision" means the immediate availability of the
9 medically directing anesthesiologist for consultation and direction
10 of the activities of the anesthesiologist assistant. A medically
11 directing anesthesiologist is immediately available if they are in
12 physical proximity that allows the anesthesiologist to reestablish
13 direct contact with the patient to meet medical needs and any urgent
14 or emergent clinical problems.

15 NEW SECTION. **Sec. 2.** (1)(a) The commission shall adopt rules
16 fixing the qualifications and the educational and training
17 requirements for licensure as an anesthesiologist assistant. The
18 requirements shall include completion of an anesthesiologist
19 assistant program accredited by the commission on accreditation of
20 allied health education programs and within one year successfully
21 taking and passing an examination administered by the national
22 commission for the certification of anesthesiologist assistants or
23 other examination approved by the commission.

24 (b) The commission shall adopt rules for the issuance of a
25 temporary license to any person who successfully completes an
26 anesthesiologist assistant program accredited by the commission on
27 accreditation of allied health education programs but has not passed
28 a certification examination. To allow the opportunity to take the
29 next available certification examination, any temporary license
30 issued pursuant to this subsection shall be issued for a period not
31 to exceed one year and subject to conditions as determined by the
32 commission in rule.

33 (2) Applicants for licensure shall file an application with the
34 commission on a form prepared by the secretary with the approval of
35 the commission, detailing the education, training, and experience of
36 the applicant and such other information as the commission may
37 require. The application shall be accompanied by a fee determined by
38 the secretary as provided in RCW 43.70.250 and 43.70.280. Each

1 applicant shall furnish proof satisfactory to the commission of the
2 following:

3 (a) That the applicant has completed an accredited
4 anesthesiologist assistant program approved by the commission and is
5 eligible to take the examination approved by the commission; and

6 (b) That the applicant is physically and mentally capable of
7 practicing as an anesthesiologist assistant with reasonable skill and
8 safety. The commission may require an applicant to submit to such
9 examination or examinations as it deems necessary to determine an
10 applicant's physical or mental capability, or both, to safely
11 practice as an anesthesiologist assistant.

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

15 (b) The license shall be renewed as determined under RCW
16 43.70.250 and 43.70.280. The commission shall request licensees to
17 submit information about their current professional practice at the
18 time of license renewal and licensees must provide the information
19 requested.

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

24 NEW SECTION. **Sec. 3.** (1) The commission shall adopt rules
25 establishing the requirements and limitations on the practice by and
26 supervision of anesthesiologist assistants, including the number of
27 anesthesiologist assistants an anesthesiologist may supervise
28 concurrently. Unless approved by the commission, a physician may not
29 concurrently supervise more than four specific, individual
30 anesthesiologist assistants at any one time.

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

34 NEW SECTION. **Sec. 4.** (1) An anesthesiologist assistant may
35 assist with those duties and responsibilities delegated to them by
36 the supervising anesthesiologist, and for which they are competent to
37 assist with based on their education, training, and experience.

1 Duties which an anesthesiologist may delegate to an anesthesiologist
2 assistant include but are not limited to:

3 (a) Assisting with preoperative anesthetic evaluations,
4 postoperative anesthetic evaluations, and patient progress notes, all
5 to be cosigned by the supervising physician within 24 hours;

6 (b) Administering and assisting with preoperative consultations;

7 (c) Under the supervising physician's consultation and direction,
8 order perioperative pharmaceutical agents, medications, fluids,
9 oxygen therapy, and respiratory therapy, to be used only at the
10 facility where ordered, including but not limited to controlled
11 substances, which may be administered prior to the cosignature of the
12 supervising physician. The supervising physician may review and if
13 required by the facility or institutional policy must cosign these
14 orders in a timely manner;

15 (d) Changing or discontinuing a medical treatment plan, after
16 consultation with the supervising physician;

17 (e) Obtaining informed consent for anesthesia or related
18 procedures;

19 (f) Calibrating anesthesia delivery systems and obtaining and
20 interpreting information from the systems and monitors, in
21 consultation with an anesthesiologist;

22 (g) Assisting the supervising anesthesiologist with the
23 implementation of medically accepted monitoring techniques;

24 (h) Assisting with basic and advanced airway interventions,
25 including but not limited to endotracheal intubation, laryngeal mask
26 insertion, and other advanced airways techniques;

27 (i) Establishing peripheral intravenous lines, including
28 subcutaneous lidocaine use;

29 (j) Establishing radial and dorsalis pedis arterial lines and
30 central lines;

31 (k) Assisting with general anesthesia, including induction,
32 maintenance, and emergence;

33 (l) Assisting with procedures associated with general anesthesia,
34 such as but not limited to gastric intubation;

35 (m) Administering intermittent vasoactive drugs and starting and
36 titrating vasoactive infusions for the treatment of patient responses
37 to anesthesia;

38 (n) Assisting with epidural, spinal, and intravenous regional
39 anesthesia;

1 (o) Maintaining and managing established neuraxial and regional
2 anesthesia;

3 (p) Assisting with monitored anesthesia care;

4 (q) Evaluating and managing patient controlled analgesia,
5 epidural catheters, and peripheral nerve catheters;

6 (r) Obtaining venous and arterial blood samples;

7 (s) Assisting with, ordering, and interpreting appropriate
8 preoperative, point of care, intraoperative, or postoperative
9 diagnostic tests or procedures as authorized by the supervising
10 anesthesiologist;

11 (t) Obtaining and administering perioperative anesthesia and
12 related pharmaceutical agents including intravenous fluids and blood
13 products;

14 (u) Participating in management of the patient while in the
15 preoperative suite and recovery area;

16 (v) Providing assistance to a cardiopulmonary resuscitation team
17 in response to a life-threatening situation;

18 (w) Participating in administrative, research, and clinical
19 teaching activities as authorized by the supervising
20 anesthesiologist; and

21 (x) Assisting with such other tasks not prohibited by law under
22 the supervision of a licensed anesthesiologist that an
23 anesthesiologist assistant has been trained and is proficient to
24 assist with.

25 (2) Nothing in this section shall be construed to prevent an
26 anesthesiologist assistant from having access to and being able to
27 obtain drugs as directed by the supervising anesthesiologist.

28 NEW SECTION. **Sec. 5.** No anesthesiologist who supervises a
29 licensed anesthesiologist assistant in accordance with and within the
30 terms of any permission granted by the commission is considered as
31 aiding and abetting an unlicensed person to practice medicine. The
32 supervising anesthesiologist and anesthesiologist assistant shall
33 retain professional and personal responsibility for any act which
34 constitutes the practice of medicine as defined in RCW 18.71.011 when
35 performed by the anesthesiologist assistant.

36 NEW SECTION. **Sec. 6.** An anesthesiologist assistant may sign and
37 attest to any certificates, cards, forms, or other required
38 documentation that the anesthesiologist assistant's supervising

1 anesthesiologist may sign, provided that it is within the
2 anesthesiologist assistant's scope of practice.

3 NEW SECTION. **Sec. 7.** (1) The uniform disciplinary act, chapter
4 18.130 RCW, governs the issuance and denial of licenses and the
5 discipline of licensees under this chapter.

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

10 **Sec. 8.** RCW 18.130.040 and 2021 c 179 s 6 are each amended to
11 read as follows:

12 (1) This chapter applies only to the secretary and the boards and
13 commissions having jurisdiction in relation to the professions
14 licensed under the chapters specified in this section. This chapter
15 does not apply to any business or profession not licensed under the
16 chapters specified in this section.

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

19 (i) Dispensing opticians licensed and designated apprentices
20 under chapter 18.34 RCW;

21 (ii) Midwives licensed under chapter 18.50 RCW;

22 (iii) Ocularists licensed under chapter 18.55 RCW;

23 (iv) Massage therapists and businesses licensed under chapter
24 18.108 RCW;

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

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

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

30 (viii) Respiratory care practitioners licensed under chapter
31 18.89 RCW;

32 (ix) Hypnotherapists and agency affiliated counselors registered
33 and advisors and counselors certified under chapter 18.19 RCW;

34 (x) Persons licensed as mental health counselors, mental health
35 counselor associates, marriage and family therapists, marriage and
36 family therapist associates, social workers, social work associates—
37 advanced, and social work associates—independent clinical under
38 chapter 18.225 RCW;

1 (xi) Persons registered as nursing pool operators under chapter
2 18.52C RCW;

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

5 (xiii) Dietitians and nutritionists certified under chapter
6 18.138 RCW;

7 (xiv) Substance use disorder professionals, substance use
8 disorder professional trainees, or co-occurring disorder specialists
9 certified under chapter 18.205 RCW;

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

12 (xvi) Persons licensed and certified under chapter 18.73 RCW or
13 RCW 18.71.205;

14 (xvii) Orthotists and prosthetists licensed under chapter 18.200
15 RCW;

16 (xviii) Surgical technologists registered under chapter 18.215
17 RCW;

18 (xix) Recreational therapists under chapter 18.230 RCW;

19 (xx) Animal massage therapists certified under chapter 18.240
20 RCW;

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

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

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

24 (xxiv) Reflexologists certified under chapter 18.108 RCW;

25 (xxv) Medical assistants-certified, medical assistants-
26 hemodialysis technician, medical assistants-phlebotomist, forensic
27 phlebotomist, and medical assistants-registered certified and
28 registered under chapter 18.360 RCW; and

29 (xxvi) Behavior analysts, assistant behavior analysts, and
30 behavior technicians under chapter 18.380 RCW.

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

33 (i) The podiatric medical board as established in chapter 18.22
34 RCW;

35 (ii) The chiropractic quality assurance commission as established
36 in chapter 18.25 RCW;

37 (iii) The dental quality assurance commission as established in
38 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
39 licenses and registrations issued under chapter 18.260 RCW, and
40 certifications issued under chapter 18.350 RCW;

1 (iv) The board of hearing and speech as established in chapter
2 18.35 RCW;

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

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

7 (vii) The board of osteopathic medicine and surgery as
8 established in chapter 18.57 RCW governing licenses issued under
9 chapters 18.57 and 18.57A RCW;

10 (viii) The pharmacy quality assurance commission as established
11 in chapter 18.64 RCW governing licenses issued under chapters 18.64
12 and 18.64A RCW;

13 (ix) The Washington medical commission as established in chapter
14 18.71 RCW governing licenses and registrations issued under chapters
15 18.71 ~~((and)),~~ 18.71A ~~((RCW)),~~ and 18.--- RCW (the new chapter
16 created in section 12 of this act);

17 (x) The board of physical therapy as established in chapter 18.74
18 RCW;

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

21 (xii) The nursing care quality assurance commission as
22 established in chapter 18.79 RCW governing licenses and registrations
23 issued under that chapter;

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

26 (xiv) The veterinary board of governors as established in chapter
27 18.92 RCW;

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

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

31 (3) In addition to the authority to discipline license holders,
32 the disciplining authority has the authority to grant or deny
33 licenses. The disciplining authority may also grant a license subject
34 to conditions.

35 (4) All disciplining authorities shall adopt procedures to ensure
36 substantially consistent application of this chapter, the uniform
37 disciplinary act, among the disciplining authorities listed in
38 subsection (2) of this section.

1 **Sec. 9.** RCW 18.130.040 and 2021 c 179 s 7 are each amended to
2 read as follows:

3 (1) This chapter applies only to the secretary and the boards and
4 commissions having jurisdiction in relation to the professions
5 licensed under the chapters specified in this section. This chapter
6 does not apply to any business or profession not licensed under the
7 chapters specified in this section.

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

10 (i) Dispensing opticians licensed and designated apprentices
11 under chapter 18.34 RCW;

12 (ii) Midwives licensed under chapter 18.50 RCW;

13 (iii) Ocularists licensed under chapter 18.55 RCW;

14 (iv) Massage therapists and businesses licensed under chapter
15 18.108 RCW;

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

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

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

21 (viii) Respiratory care practitioners licensed under chapter
22 18.89 RCW;

23 (ix) Hypnotherapists and agency affiliated counselors registered
24 and advisors and counselors certified under chapter 18.19 RCW;

25 (x) Persons licensed as mental health counselors, mental health
26 counselor associates, marriage and family therapists, marriage and
27 family therapist associates, social workers, social work associates—
28 advanced, and social work associates—independent clinical under
29 chapter 18.225 RCW;

30 (xi) Persons registered as nursing pool operators under chapter
31 18.52C RCW;

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

34 (xiii) Dietitians and nutritionists certified under chapter
35 18.138 RCW;

36 (xiv) Substance use disorder professionals, substance use
37 disorder professional trainees, or co-occurring disorder specialists
38 certified under chapter 18.205 RCW;

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

1 (xvi) Persons licensed and certified under chapter 18.73 RCW or
2 RCW 18.71.205;

3 (xvii) Orthotists and prosthetists licensed under chapter 18.200
4 RCW;

5 (xviii) Surgical technologists registered under chapter 18.215
6 RCW;

7 (xix) Recreational therapists under chapter 18.230 RCW;

8 (xx) Animal massage therapists certified under chapter 18.240
9 RCW;

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

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

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

13 (xxiv) Reflexologists certified under chapter 18.108 RCW;

14 (xxv) Medical assistants-certified, medical assistants-
15 hemodialysis technician, medical assistants-phlebotomist, forensic
16 phlebotomist, and medical assistants-registered certified and
17 registered under chapter 18.360 RCW; and

18 (xxvi) Behavior analysts, assistant behavior analysts, and
19 behavior technicians under chapter 18.380 RCW.

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

22 (i) The podiatric medical board as established in chapter 18.22
23 RCW;

24 (ii) The chiropractic quality assurance commission as established
25 in chapter 18.25 RCW;

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

30 (iv) The board of hearing and speech as established in chapter
31 18.35 RCW;

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

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

36 (vii) The board of osteopathic medicine and surgery as
37 established in chapter 18.57 RCW governing licenses issued under
38 chapter 18.57 RCW;

1 (viii) The pharmacy quality assurance commission as established
2 in chapter 18.64 RCW governing licenses issued under chapters 18.64
3 and 18.64A RCW;

4 (ix) The Washington medical commission as established in chapter
5 18.71 RCW governing licenses and registrations issued under chapters
6 18.71 ~~((and))~~, 18.71A ((RCW)), and 18.--- RCW (the new chapter
7 created in section 12 of this act);

8 (x) The board of physical therapy as established in chapter 18.74
9 RCW;

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

12 (xii) The nursing care quality assurance commission as
13 established in chapter 18.79 RCW governing licenses and registrations
14 issued under that chapter;

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

17 (xiv) The veterinary board of governors as established in chapter
18 18.92 RCW;

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

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

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

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

30 **Sec. 10.** RCW 18.120.020 and 2019 c 308 s 17 are each amended to
31 read as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Applicant group" includes any health professional group or
35 organization, any individual, or any other interested party which
36 proposes that any health professional group not presently regulated
37 be regulated or which proposes to substantially increase the scope of
38 practice of the profession.

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

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

13 (4) "Health professions" means and includes the following health
14 and health-related licensed or regulated professions and occupations:
15 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
16 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
17 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
18 dental anesthesia assistants under chapter 18.350 RCW; dispensing
19 opticians under chapter 18.34 RCW; hearing instruments under chapter
20 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and
21 funeral directing under chapter 18.39 RCW; midwifery under chapter
22 18.50 RCW; nursing home administration under chapter 18.52 RCW;
23 optometry under chapters 18.53 and 18.54 RCW; ocularists under
24 chapter 18.55 RCW; osteopathic medicine and surgery under chapters
25 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW;
26 medicine under chapters 18.71 and 18.71A RCW; emergency medicine
27 under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW;
28 practical nurses under chapter 18.79 RCW; psychologists under chapter
29 18.83 RCW; registered nurses under chapter 18.79 RCW; occupational
30 therapists licensed under chapter 18.59 RCW; respiratory care
31 practitioners licensed under chapter 18.89 RCW; veterinarians and
32 veterinary technicians under chapter 18.92 RCW; massage therapists
33 under chapter 18.108 RCW; acupuncturists or acupuncture and Eastern
34 medicine practitioners licensed under chapter 18.06 RCW; persons
35 registered under chapter 18.19 RCW; persons licensed as mental health
36 counselors, marriage and family therapists, and social workers under
37 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
38 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing
39 assistants registered or certified under chapter 18.88A RCW;
40 reflexologists certified under chapter 18.108 RCW; medical

1 assistants-certified, medical assistants-hemodialysis technician,
2 medical assistants-phlebotomist, forensic phlebotomist, and medical
3 assistants-registered certified and registered under chapter 18.360
4 RCW; ~~((and))~~ licensed behavior analysts, licensed assistant behavior
5 analysts, and certified behavior technicians under chapter 18.380
6 RCW; and anesthesiologist assistants licensed under chapter 18.---
7 RCW (the new chapter created in section 12 of this act).

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

12 (6) "Legislative committees of reference" means the standing
13 legislative committees designated by the respective rules committees
14 of the senate and house of representatives to consider proposed
15 legislation to regulate health professions not previously regulated.

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

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

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

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

36 (11) "Registration" means the formal notification which, prior to
37 rendering services, a practitioner shall submit to a state agency
38 setting forth the name and address of the practitioner; the location,
39 nature and operation of the health activity to be practiced; and, if

1 required by the regulatory entity, a description of the service to be
2 provided.

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

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

11 **Sec. 11.** RCW 18.120.020 and 2020 c 80 s 22 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Applicant group" includes any health professional group or
16 organization, any individual, or any other interested party which
17 proposes that any health professional group not presently regulated
18 be regulated or which proposes to substantially increase the scope of
19 practice of the profession.

20 (2) "Certificate" and "certification" mean a voluntary process by
21 which a statutory regulatory entity grants recognition to an
22 individual who (a) has met certain prerequisite qualifications
23 specified by that regulatory entity, and (b) may assume or use
24 "certified" in the title or designation to perform prescribed health
25 professional tasks.

26 (3) "Grandfather clause" means a provision in a regulatory
27 statute applicable to practitioners actively engaged in the regulated
28 health profession prior to the effective date of the regulatory
29 statute which exempts the practitioners from meeting the prerequisite
30 qualifications set forth in the regulatory statute to perform
31 prescribed occupational tasks.

32 (4) "Health professions" means and includes the following health
33 and health-related licensed or regulated professions and occupations:
34 Podiatric medicine and surgery under chapter 18.22 RCW; chiropractic
35 under chapter 18.25 RCW; dental hygiene under chapter 18.29 RCW;
36 dentistry under chapter 18.32 RCW; denturism under chapter 18.30 RCW;
37 dental anesthesia assistants under chapter 18.350 RCW; dispensing
38 opticians under chapter 18.34 RCW; hearing instruments under chapter
39 18.35 RCW; naturopaths under chapter 18.36A RCW; embalming and

1 funeral directing under chapter 18.39 RCW; midwifery under chapter
2 18.50 RCW; nursing home administration under chapter 18.52 RCW;
3 optometry under chapters 18.53 and 18.54 RCW; ocularists under
4 chapter 18.55 RCW; osteopathic medicine and surgery under chapter
5 18.57 RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine
6 under chapters 18.71 and 18.71A RCW; emergency medicine under chapter
7 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses
8 under chapter 18.79 RCW; psychologists under chapter 18.83 RCW;
9 registered nurses under chapter 18.79 RCW; occupational therapists
10 licensed under chapter 18.59 RCW; respiratory care practitioners
11 licensed under chapter 18.89 RCW; veterinarians and veterinary
12 technicians under chapter 18.92 RCW; massage therapists under chapter
13 18.108 RCW; acupuncturists or acupuncture and Eastern medicine
14 practitioners licensed under chapter 18.06 RCW; persons registered
15 under chapter 18.19 RCW; persons licensed as mental health
16 counselors, marriage and family therapists, and social workers under
17 chapter 18.225 RCW; dietitians and nutritionists certified by chapter
18 18.138 RCW; radiologic technicians under chapter 18.84 RCW; nursing
19 assistants registered or certified under chapter 18.88A RCW;
20 reflexologists certified under chapter 18.108 RCW; medical
21 assistants-certified, medical assistants-hemodialysis technician,
22 medical assistants-phlebotomist, forensic phlebotomist, and medical
23 assistants-registered certified and registered under chapter 18.360
24 RCW; ~~((and))~~ licensed behavior analysts, licensed assistant behavior
25 analysts, and certified behavior technicians under chapter 18.380
26 RCW; and anesthesiologist assistants licensed under chapter 18.---
27 RCW (the new chapter created in section 12 of this act).

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

32 (6) "Legislative committees of reference" means the standing
33 legislative committees designated by the respective rules committees
34 of the senate and house of representatives to consider proposed
35 legislation to regulate health professions not previously regulated.

36 (7) "License," "licensing," and "licensure" mean permission to
37 engage in a health profession which would otherwise be unlawful in
38 the state in the absence of the permission. A license is granted to
39 those individuals who meet prerequisite qualifications to perform

1 prescribed health professional tasks and for the use of a particular
2 title.

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

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

11 (10) "Public member" means an individual who is not, and never
12 was, a member of the health profession being regulated or the spouse
13 of a member, or an individual who does not have and never has had a
14 material financial interest in either the rendering of the health
15 professional service being regulated or an activity directly related
16 to the profession being regulated.

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

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

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

31 NEW SECTION. **Sec. 12.** Sections 1 through 7 of this act
32 constitute a new chapter in Title 18 RCW.

33 NEW SECTION. **Sec. 13.** Sections 8 and 10 of this act expire July
34 1, 2022.

1 NEW SECTION. **Sec. 14.** Sections 9 and 11 of this act take effect
2 July 1, 2022.

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