
SENATE BILL 5940

State of Washington

68th Legislature

2024 Regular Session

By Senator Van De Wege

Prefiled 01/02/24.

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 registered under RCW
20 18.360.040 who also holds either an emergency medical technician
21 certification under RCW 18.73.081 or a paramedic certification under
22 RCW 18.71.205, and who performs functions as provided in RCW
23 18.360.050 under the supervision of a health care practitioner.

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

28 ((+8)) (9) "Medical assistant-phlebotomist" means a person
29 certified under RCW 18.360.040 who performs capillary, venous, and
30 arterial invasive procedures for blood withdrawal and other functions
31 pursuant to RCW 18.360.050 under the supervision of a health care
32 practitioner.

33 ((+9)) (10) "Medical assistant-registered" means a person
34 registered under RCW 18.360.040 who, pursuant to an endorsement by a
35 health care practitioner, clinic, or group practice, assists a health
36 care practitioner with patient care, executes administrative and
37 clinical procedures, and performs functions as provided in RCW
38 18.360.050 under the supervision of the health care practitioner.

39 ((+10)) (11) "Secretary" means the secretary of the department
40 of health.

1 (~~(11)~~) (12)(a) "Supervision" means supervision of procedures
2 permitted pursuant to this chapter by a health care practitioner who
3 is physically present and is immediately available in the facility,
4 except as provided in (b) and (c) of this subsection.

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

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

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

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

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

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

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

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

31 (b) The qualifications for a forensic phlebotomist must include
32 training consistent with the occupational safety and health
33 administration guidelines and must include between twenty and thirty
34 hours of work in a clinical setting with the completion of more than
35 one hundred successful venipunctures. The secretary may not require
36 more than (~~forty~~) 40 hours of classroom training for initial
37 training, which may include online preclass homework.

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

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

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

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

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

31 (b) The secretary shall issue an interim certification to any
32 person who has met all of the qualifications in (a) of this
33 subsection, except for the passage of the examination. A person
34 holding an interim permit possesses the full scope of practice of a
35 medical assistant-certified. The interim permit expires upon passage
36 of the examination and issuance of a certification, or after one
37 year, whichever occurs first, and may not be renewed.

38 (2)(a) The secretary shall issue a certification as a medical
39 assistant-hemodialysis technician to any person who meets the

1 qualifications for a medical assistant-hemodialysis technician
2 established under RCW 18.360.030.

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

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

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

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

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

25 ~~((+5))~~ (6) (a) The secretary shall issue a registration as a
26 medical assistant-registered to any person who has a current
27 endorsement from a health care practitioner, clinic, or group
28 practice.

29 (b) In order to be endorsed under this subsection ~~((+5))~~ (6), a
30 person must:

31 (i) Be endorsed by a health care practitioner, clinic, or group
32 practice that meets the qualifications established under RCW
33 18.360.030; and

34 (ii) Have a current attestation of his or her endorsement to
35 perform specific medical tasks signed by a supervising health care
36 practitioner filed with the department. A medical assistant-
37 registered may only perform the medical tasks listed in his or her
38 current attestation of endorsement.

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

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

11 ~~((+6))~~ (7) A certification issued under subsections (1) through
12 (3) of this section is transferable between different practice
13 settings. A certification under subsection (4) of this section is
14 transferable between hospitals licensed under chapter 70.41 RCW. A
15 certification under subsection ~~((+4))~~ (5) of this section is
16 transferable between law enforcement agencies.

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

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

22 (a) Fundamental procedures:

23 (i) Wrapping items for autoclaving;

24 (ii) Procedures for sterilizing equipment and instruments;

25 (iii) Disposing of biohazardous materials; and

26 (iv) Practicing standard precautions.

27 (b) Clinical procedures:

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

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

32 (iii) Taking vital signs;

33 (iv) Preparing patients for examination;

34 (v) Capillary blood withdrawal, venipuncture, and intradermal,
35 subcutaneous, and intramuscular injections; and

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

37 (c) Specimen collection:

38 (i) Capillary puncture and venipuncture;

39 (ii) Obtaining specimens for microbiological testing; and

1 (iii) Instructing patients in proper technique to collect urine
2 and fecal specimens.

3 (d) Diagnostic testing:

4 (i) Electrocardiography;

5 (ii) Respiratory testing; and

6 (iii)(A) Tests waived under the federal clinical laboratory
7 improvement amendments program on July 1, 2013. The department shall
8 periodically update the tests authorized under this subsection (1)(d)
9 based on changes made by the federal clinical laboratory improvement
10 amendments program; and

11 (B) Moderate complexity tests if the medical assistant-certified
12 meets standards for personnel qualifications and responsibilities in
13 compliance with federal regulation for nonwaived testing.

14 (e) 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;

24 (vi) Maintaining medication and immunization records; and

25 (vii) Screening and following up on test results as directed by a
26 health care practitioner.

27 (f)(i) Administering medications. A medical assistant-certified
28 may only administer medications if the drugs are:

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

33 (B) Limited to legend drugs, vaccines, and Schedule III-V
34 controlled substances as authorized by a health care practitioner
35 under the scope of his or her license and consistent with rules
36 adopted by the secretary under (f)(ii) of this subsection; and

37 (C) Administered pursuant to a written order from a health care
38 practitioner.

39 (ii) A medical assistant-certified may not administer
40 experimental drugs or chemotherapy agents. The secretary may, by

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

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

14 (h) Urethral catheterization when appropriately trained.

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

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

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

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

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

34 (d) Electrocardiograms.

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

38 (a) Fundamental procedures:

39 (i) Wrapping items for autoclaving;

40 (ii) Procedures for sterilizing equipment and instruments;

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

1 (i) Administering medications:

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

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

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

12 (C) Administered pursuant to a written order from a health care
13 practitioner.

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

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

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

30 (i) Fundamental procedures:

31 (A) Disposing of biohazardous materials; and

32 (B) Practicing standard precautions;

33 (ii) Clinical procedures:

34 (A) Taking vital signs;

35 (B) IV insertion and removal;

36 (C) Preparing patients for examination;

37 (D) Observing and reporting patients' signs or symptoms;

38 (E) Eye irrigation;

39 (F) Hemorrhage control with direct pressure or hemostatic gauze;

40 (G) Spinal and extremity motion restriction and immobilization;

1 (H) Oxygen administration;
2 (I) Airway maintenance, stabilization, and suctioning;
3 (J) Cardiopulmonary resuscitation; and
4 (K) Use of automated external defibrillators and semiautomated
5 external defibrillators;
6 (iii) Specimen collection:
7 (A) Capillary puncture and venipuncture;
8 (B) Obtaining specimens for microbiological testing; and
9 (C) Instructing patients in proper technique to collect urine and
10 fecal specimens;
11 (iv) Diagnostic testing:
12 (A) Electrocardiography; and
13 (B) Respiratory testing, including nasopharyngeal swabbing for
14 COVID-19;
15 (v) Patient care:
16 (A) Telephone and in-person screening, limited to intake and
17 gathering of information without requiring the exercise of judgment
18 based on clinical knowledge;
19 (B) Obtaining vital signs;
20 (C) Obtaining and recording patient history;
21 (D) Preparing and maintaining examination and treatment areas;
22 (E) Preparing patients for, and assisting with, routine and
23 specialty examinations, procedures, treatments, and minor office
24 surgeries; and
25 (F) Maintaining medication and immunization records; and
26 (vi) Administering medications, limited to intramuscular
27 vaccinations, intramuscular and oral opioid antagonists, and oral
28 glucose.
29 (b) The secretary may adopt rules to establish additional duties
30 a medical assistant-EMT may perform as the secretary deems
31 appropriate.

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

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

36 (1) "Applicant group" includes any health professional group or
37 organization, any individual, or any other interested party which
38 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, medical
5 assistant-EMT, and medical assistants-registered certified and
6 registered under chapter 18.360 RCW; licensed behavior analysts,
7 licensed assistant behavior analysts, and certified behavior
8 technicians under chapter 18.380 RCW; music therapists licensed under
9 chapter 18.233 RCW; and dental therapists licensed under chapter
10 18.265 RCW.

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

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

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

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

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

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

39 (11) "Registration" means the formal notification which, prior to
40 rendering services, a practitioner shall submit to a state agency

1 setting forth the name and address of the practitioner; the location,
2 nature and operation of the health activity to be practiced; and, if
3 required by the regulatory entity, a description of the service to be
4 provided.

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

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

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

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

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

23 (i) Dispensing opticians licensed and designated apprentices
24 under chapter 18.34 RCW;

25 (ii) Midwives licensed under chapter 18.50 RCW;

26 (iii) Ocularists licensed under chapter 18.55 RCW;

27 (iv) Massage therapists and businesses licensed under chapter
28 18.108 RCW;

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

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

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

34 (viii) Respiratory care practitioners licensed under chapter
35 18.89 RCW;

36 (ix) Hypnotherapists registered, agency affiliated counselors
37 registered, certified, or licensed, and advisors and counselors
38 certified under chapter 18.19 RCW;

- 1 (x) Persons licensed as mental health counselors, mental health
2 counselor associates, marriage and family therapists, marriage and
3 family therapist associates, social workers, social work associates—
4 advanced, and social work associates—independent clinical under
5 chapter 18.225 RCW;
- 6 (xi) Persons registered as nursing pool operators under chapter
7 18.52C RCW;
- 8 (xii) Nursing assistants registered or certified or medication
9 assistants endorsed under chapter 18.88A RCW;
- 10 (xiii) Dietitians and nutritionists certified under chapter
11 18.138 RCW;
- 12 (xiv) Substance use disorder professionals, substance use
13 disorder professional trainees, or co-occurring disorder specialists
14 certified under chapter 18.205 RCW;
- 15 (xv) Sex offender treatment providers and certified affiliate sex
16 offender treatment providers certified under chapter 18.155 RCW;
- 17 (xvi) Persons licensed and certified under chapter 18.73 RCW or
18 RCW 18.71.205;
- 19 (xvii) Orthotists and prosthetists licensed under chapter 18.200
20 RCW;
- 21 (xviii) Surgical technologists registered under chapter 18.215
22 RCW;
- 23 (xix) Recreational therapists under chapter 18.230 RCW;
- 24 (xx) Animal massage therapists certified under chapter 18.240
25 RCW;
- 26 (xxi) Athletic trainers licensed under chapter 18.250 RCW;
- 27 (xxii) Home care aides certified under chapter 18.88B RCW;
- 28 (xxiii) Genetic counselors licensed under chapter 18.290 RCW;
- 29 (xxiv) Reflexologists certified under chapter 18.108 RCW;
- 30 (xxv) Medical assistants-certified, medical assistants-
31 hemodialysis technician, medical assistants-phlebotomist, forensic
32 phlebotomist, medical-assistant-EMT, and medical assistants-
33 registered certified and registered under chapter 18.360 RCW;
- 34 (xxvi) Behavior analysts, assistant behavior analysts, and
35 behavior technicians under chapter 18.380 RCW;
- 36 (xxvii) Birth doula certified under chapter 18.47 RCW;
- 37 (xxviii) Music therapists licensed under chapter 18.233 RCW;
- 38 (xxix) Behavioral health support specialists certified under
39 chapter 18.227 RCW; and

1 (xxx) Certified peer specialists and certified peer specialist
2 trainees under chapter 18.420 RCW.

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

5 (i) The podiatric medical board as established in chapter 18.22
6 RCW;

7 (ii) The chiropractic quality assurance commission as established
8 in chapter 18.25 RCW;

9 (iii) The dental quality assurance commission as established in
10 chapter 18.32 RCW governing licenses issued under chapter 18.32 RCW,
11 licenses and registrations issued under chapter 18.260 RCW, licenses
12 issued under chapter 18.265 RCW, and certifications issued under
13 chapter 18.350 RCW;

14 (iv) The board of hearing and speech as established in chapter
15 18.35 RCW;

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

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

20 (vii) The board of osteopathic medicine and surgery as
21 established in chapter 18.57 RCW governing licenses issued under
22 chapter 18.57 RCW;

23 (viii) The pharmacy quality assurance commission as established
24 in chapter 18.64 RCW governing licenses issued under chapters 18.64
25 and 18.64A RCW;

26 (ix) The Washington medical commission as established in chapter
27 18.71 RCW governing licenses and registrations issued under chapters
28 18.71 and 18.71A RCW;

29 (x) The board of physical therapy as established in chapter 18.74
30 RCW;

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

33 (xii) The board of nursing as established in chapter 18.79 RCW
34 governing licenses and registrations issued under that chapter and
35 under chapter 18.80 RCW;

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

38 (xiv) The veterinary board of governors as established in chapter
39 18.92 RCW;

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

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

4 (3) In addition to the authority to discipline license holders,
5 the disciplining authority has the authority to grant or deny
6 licenses. The disciplining authority may also grant a license subject
7 to conditions.

8 (4) All disciplining authorities shall adopt procedures to ensure
9 substantially consistent application of this chapter, the uniform
10 disciplinary act, among the disciplining authorities listed in
11 subsection (2) of this section.

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