
HOUSE BILL 2151

State of Washington

54th Legislature

1996 Regular Session

By Representatives Dyer, Backlund, Cody and Murray; by request of Department of Health

Read first time 01/08/96. Referred to Committee on Health Care.

1 AN ACT Relating to department of health responsibility for uniform
2 administrative procedures for credentialing health professionals;
3 amending RCW 43.70.250, 43.70.280, 18.06.120, 18.19.070, 18.19.100,
4 18.19.170, 18.22.120, 18.25.020, 18.25.070, 18.29.021, 18.29.071,
5 18.30.120, 18.30.130, 18.32.110, 18.32.170, 18.32.180, 18.32.220,
6 18.34.120, 18.35.060, 18.35.080, 18.35.090, 18.36A.130, 18.36A.140,
7 18.50.050, 18.50.102, 18.52.110, 18.52.130, 18.52C.030, 18.53.050,
8 18.53.070, 18.55.030, 18.55.040, 18.55.050, 18.57.035, 18.57.045,
9 18.57.050, 18.57.080, 18.57A.020, 18.71A.040, 18.59.110, 18.64.040,
10 18.64.043, 18.64.045, 18.64.046, 18.64.047, 18.64.140, 18.64.205,
11 18.64.310, 18.64A.030, 18.64A.060, 18.71.080, 18.71.085, 18.71.095,
12 18.71.205, 18.71.400, 18.71A.020, 18.71A.040, 18.74.050, 18.74.060,
13 18.74.070, 18.79.200, 18.79.210, 18.83.060, 18.83.072, 18.83.080,
14 18.83.082, 18.83.090, 18.83.105, 18.83.170, 18.84.100, 18.84.110,
15 18.84.120, 18.88A.120, 18.88A.130, 18.89.110, 18.89.120, 18.89.140,
16 18.92.140, 18.92.145, 18.108.060, 18.135.050, 18.135.055, 18.138.040,
17 18.138.060, 18.155.040, and 18.155.080; reenacting and amending RCW
18 18.57.130; and repealing RCW 18.30.110, 18.32.120, 18.53.055,
19 18.64A.065, 18.79.220, and 18.83.100.

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

1 **Sec. 1.** RCW 43.70.250 and 1989 1st ex.s. c 9 s 319 are each
2 amended to read as follows:

3 (~~(1)~~) It shall be the policy of the state of Washington that the
4 cost of each professional, occupational, or business licensing program
5 be fully borne by the members of that profession, occupation, or
6 business. The secretary shall from time to time establish the amount
7 of all application fees, license fees, registration fees, examination
8 fees, permit fees, renewal fees, and any other fee associated with
9 licensing or regulation of professions, occupations, or businesses
10 administered by the department. In fixing said fees, the secretary
11 shall set the fees for each program at a sufficient level to defray the
12 costs of administering that program. All such fees shall be fixed by
13 rule adopted by the secretary in accordance with the provisions of the
14 administrative procedure act, chapter 34.05 RCW.

15 (~~(2) Notwithstanding subsection (1) of this section, no fee for
16 midwives, as licensed in chapter 18.50 RCW may be increased by more
17 than one hundred dollars or fifty percent, whichever is greater during
18 any biennium.~~)

19 **Sec. 2.** RCW 43.70.280 and 1989 1st ex.s. c 9 s 322 are each
20 amended to read as follows:

21 (1) The secretary shall establish by policy or rule the
22 administrative procedures, administrative requirements, and fees for
23 initial issue, renewal, and reissue of a credential for professions
24 under RCW 18.130.040, including procedures and requirements for late
25 renewals and uniform application of late renewal penalties. Failure to
26 renew invalidates the credential and all privileges granted by the
27 credential.

28 (2) Notwithstanding any provision of law to the contrary which
29 provides for a licensing period for any type of license subject to this
30 chapter including those under RCW 18.130.040, the secretary of health
31 may, from time to time, extend or otherwise modify the duration of any
32 licensing, certification, or registration period, whether an initial or
33 renewal period, if the secretary determines that it would result in a
34 more economical or efficient operation of state government and that the
35 public health, safety, or welfare would not be substantially adversely
36 affected thereby. However, no license, certification, or registration
37 may be issued or approved for a period in excess of four years, without
38 renewal. Such extension, reduction, or other modification of a

1 licensing, certification, or registration period shall be by rule or
2 regulation of the department of health adopted in accordance with the
3 provisions of chapter 34.05 RCW. Such rules and regulations may
4 provide a method for imposing and collecting such additional
5 proportional fee as may be required for the extended or modified
6 period.

7 **Sec. 3.** RCW 18.06.120 and 1995 c 323 s 10 are each amended to read
8 as follows:

9 (1) Every person licensed in acupuncture shall ~~((register with the~~
10 ~~secretary annually and pay an annual renewal fee determined by the~~
11 ~~secretary as provided in RCW 43.70.250 on or before the license~~
12 ~~holder's birth anniversary date. The license of the person shall be~~
13 ~~renewed for a period of one year or longer in the discretion of the~~
14 ~~secretary. A person whose practice is exclusively out of state or who~~
15 ~~is on sabbatical shall be granted an inactive licensure status and pay~~
16 ~~a reduced fee. The reduced fee shall be set by the secretary under RCW~~
17 ~~43.70.250))~~ comply with the administrative procedures and
18 administrative requirements for registration and renewal set by the
19 secretary under RCW 43.70.250 and 43.70.280.

20 (2) ~~((Any failure to register and pay the annual renewal fee shall~~
21 ~~render the license invalid. The license shall be reinstated upon: (a)~~
22 ~~Written application to the secretary; (b) payment to the state of a~~
23 ~~penalty fee determined by the secretary as provided in RCW 43.70.250;~~
24 ~~and (c) payment to the state of all delinquent annual license renewal~~
25 ~~fees.~~

26 (3) ~~Any person who fails to renew his or her license for a period~~
27 ~~of three years shall not be entitled to renew the licensure under this~~
28 ~~section. Such person, in order to obtain a licensure in acupuncture in~~
29 ~~this state, shall file a new application under this chapter, along with~~
30 ~~the required fee, and shall meet examination or continuing education~~
31 ~~requirements as the secretary, by rule, provides.~~

32 ~~(4))~~ All fees collected under this section and RCW 18.06.070 shall
33 be credited to the health professions account as required under RCW
34 43.70.320.

35 **Sec. 4.** RCW 18.19.070 and 1994 sp.s. c 9 s 501 are each amended to
36 read as follows:

1 (1) The Washington state mental health quality assurance council is
2 created, consisting of ~~((nine))~~ seven members appointed by the
3 secretary. All appointments shall be for a term of four years. No
4 person may serve as a member of the council for more than two
5 consecutive full terms.

6 Voting members of the council must include one social worker
7 certified under RCW 18.19.110, one mental health counselor certified
8 under RCW 18.19.120, one marriage and family therapist certified under
9 RCW 18.19.130, one counselor registered under RCW 18.19.090, one
10 hypnotherapist registered under RCW 18.19.090, and two public members.
11 Each member of the council must be a citizen of the United States and
12 a resident of this state. Public members of the council may not be a
13 member of any other health care licensing board or commission, or have
14 a fiduciary obligation to a facility rendering health services
15 regulated by the council, or have a material or financial interest in
16 the rendering of health services regulated by the council.

17 The secretary may appoint the initial members of the council to
18 staggered terms of from one to four years. Thereafter, all members
19 shall be appointed to full four-year terms. Members of the council
20 hold office until their successors are appointed.

21 The secretary may remove any member of the council for cause as
22 specified by rule. In the case of a vacancy, the secretary shall
23 appoint a person to serve for the remainder of the unexpired term.

24 (2) The council shall meet at the times and places designated by
25 the secretary and shall hold meetings during the year as necessary to
26 provide advice to the secretary.

27 Each member of the council shall be reimbursed for travel expenses
28 as authorized in RCW 43.03.050 and 43.03.060. In addition, members of
29 the council shall be compensated in accordance with RCW 43.03.240 when
30 engaged in the authorized business of the council. The members of the
31 council are immune from suit in an action, civil or criminal, based on
32 their official acts performed in good faith as members of the council.

33 **Sec. 5.** RCW 18.19.100 and 1991 c 3 s 25 are each amended to read
34 as follows:

35 The secretary shall establish ~~((by rule the procedural))~~
36 administrative procedures, administrative requirements, and fees for
37 renewal of registrations~~((Failure to renew shall invalidate the~~
38 ~~registration and all privileges granted by the registration.~~

1 ~~Subsequent registration will require application and payment of a fee~~
2 ~~as determined by the secretary under RCW 43.70.250))~~ as provided in RCW
3 43.70.250 and 43.70.280.

4 **Sec. 6.** RCW 18.19.170 and 1991 c 3 s 32 are each amended to read
5 as follows:

6 A certificate issued under this chapter shall be renewed as
7 ~~((determined by))~~ provided in RCW 43.70.250 and 43.70.280. The
8 secretary ~~((who))~~ may establish ~~((rules governing))~~ continuing
9 competence requirements. ~~((An additional fee may be set by the~~
10 ~~secretary as a renewal requirement when certification has lapsed due to~~
11 ~~failure to renew prior to the expiration date.))~~

12 **Sec. 7.** RCW 18.22.120 and 1990 c 147 s 13 are each amended to read
13 as follows:

14 The board shall establish by rule the requirements for renewal of
15 licenses and relicensing. The secretary shall establish ~~((a renewal~~
16 ~~and late renewal penalty fee as provided in RCW 43.70.250, and the term~~
17 ~~for renewal of a license under RCW 43.70.280. Failure to renew~~
18 ~~invalidates the license and all privileges granted by it. The board~~
19 ~~shall determine by rule when a license shall be canceled for failure to~~
20 ~~renew and shall establish prerequisites for relicensing))~~
21 administrative procedures, administrative requirements, and fees as
22 provided in RCW 43.70.250 and 43.70.280.

23 **Sec. 8.** RCW 18.25.020 and 1994 sp.s. c 9 s 109 are each amended to
24 read as follows:

25 (1) Any person not now licensed to practice chiropractic in this
26 state and who desires to practice chiropractic in this state, before it
27 shall be lawful for him or her to do so, shall make application
28 therefor to the secretary, upon such form and in such manner as may be
29 adopted and directed by the secretary. Each applicant who matriculates
30 to a chiropractic college after January 1, 1975, shall have completed
31 not less than one-half of the requirements for a baccalaureate degree
32 at an accredited and approved college or university and shall be a
33 graduate of a chiropractic school or college accredited and approved by
34 the commission and shall show satisfactory evidence of completion by
35 each applicant of a resident course of study of not less than four
36 thousand classroom hours of instruction in such school or college.

1 Applications shall be in writing and shall be signed by the applicant
2 in his or her own handwriting and shall be sworn to before some officer
3 authorized to administer oaths, and shall recite the history of the
4 applicant as to his or her educational advantages, his or her
5 experience in matters pertaining to a knowledge of the care of the
6 sick, how long he or she has studied chiropractic, under what teachers,
7 what collateral branches, if any, he or she has studied, the length of
8 time he or she has engaged in clinical practice; accompanying the same
9 by reference therein, with any proof thereof in the shape of diplomas,
10 certificates, and shall accompany said application with satisfactory
11 evidence of good character and reputation.

12 ~~(2) ((There shall be paid to the secretary by each applicant for a~~
13 ~~license, a fee determined by the secretary as provided in RCW 43.70.250~~
14 ~~which shall accompany application and a fee determined by the secretary~~
15 ~~as provided in RCW 43.70.250, which shall be paid upon issuance of~~
16 ~~license. Like fees shall be paid for any subsequent examination and~~
17 ~~application))~~ Applicants shall follow administrative procedures and
18 administrative requirements and pay fees determined by the secretary as
19 provided in RCW 43.70.250 and 43.70.280.

20 **Sec. 9.** RCW 18.25.070 and 1994 sp.s. c 9 s 114 are each amended to
21 read as follows:

22 ~~((1))~~ Every person practicing chiropractic shall, as a
23 prerequisite to ~~((annual))~~ renewal of license, submit to the secretary
24 at the time of application therefor, satisfactory proof showing
25 attendance of at least twenty-five hours per year during the preceding
26 ~~((twelve-month))~~ credential period, at one or more chiropractic
27 symposiums which are recognized and approved by the commission. The
28 commission may, for good cause shown, waive said attendance. The
29 following guidelines for such symposiums shall apply:

30 ~~((a))~~ (1) The commission shall set criteria for the course
31 content of educational symposia concerning matters which are recognized
32 by the state of Washington chiropractic licensing laws; it shall be the
33 licensee's responsibility to determine whether the course content meets
34 these criteria;

35 ~~((b))~~ (2) The commission shall adopt standards for distribution
36 of annual continuing education credit requirements;

1 (~~(e)~~) (3) Rules shall be adopted by the commission for licensees
2 practicing and residing outside the state who shall meet all
3 requirements established by rule of the commission.

4 (~~(2) Every person practicing chiropractic within this state shall~~
5 ~~pay on or before his or her birth anniversary date, after a license is~~
6 ~~issued to him or her as provided in this chapter, to the secretary a~~
7 ~~renewal license fee to be determined by the secretary as provided in~~
8 ~~RCW 43.70.250. The secretary shall, thirty days or more before the~~
9 ~~birth anniversary date of each chiropractor in the state, mail to that~~
10 ~~chiropractor a notice of the fact that the renewal fee will be due on~~
11 ~~or before his or her birth anniversary date. Nothing in this chapter~~
12 ~~shall be construed so as to require that the receipts shall be recorded~~
13 ~~as original licenses are required to be recorded.~~

14 The failure of any licensed chiropractor to pay his or her annual
15 license renewal fee within thirty days of license expiration shall work
16 a forfeiture of his or her license. It shall not be reinstated except
17 upon evidence that continuing educational requirements have been
18 fulfilled and the payment of a penalty to be determined by the
19 secretary as provided in RCW 43.70.250, together with all annual
20 license renewal fees delinquent at the time of the forfeiture, and
21 those for each year thereafter up to the time of reinstatement. If the
22 licensee allows his or her license to lapse for more than three years,
23 he or she may be reexamined as provided for in RCW 18.25.040 at the
24 discretion of the commission.))

25 **Sec. 10.** RCW 18.29.021 and 1995 c 198 s 4 are each amended to read
26 as follows:

27 (1) The department shall issue a license to any applicant who, as
28 determined by the secretary:

29 (a) Has successfully completed an educational program approved by
30 the secretary. This educational program shall include course work
31 encompassing the subject areas within the scope of the license to
32 practice dental hygiene in the state of Washington;

33 (b) Has successfully completed an examination administered or
34 approved by the dental hygiene examining committee; and

35 (c) Has not engaged in unprofessional conduct or is not unable to
36 practice with reasonable skill and safety as a result of a physical or
37 mental impairment.

1 (2) Applications for licensure (~~shall be submitted on forms~~
2 ~~provided by the department. The department may require any information~~
3 ~~and documentation necessary to determine if the applicant meets the~~
4 ~~criteria for licensure as provided in this chapter and chapter 18.130~~
5 ~~RCW. Each applicant shall pay a fee determined by the secretary as~~
6 ~~provided in RCW 43.70.250. The fee shall be submitted with the~~
7 ~~application)) must comply with administrative procedures,
8 administrative requirements, and fees established according to RCW
9 43.70.250 and 43.70.280.~~

10 **Sec. 11.** RCW 18.29.071 and 1991 c 3 s 49 are each amended to read
11 as follows:

12 The secretary shall establish (~~by rule~~) the administrative
13 procedures, administrative requirements, and fees for renewal of
14 licenses as provided in this chapter and in RCW 43.70.250 and
15 43.70.280. (~~The secretary shall establish a renewal and late renewal~~
16 ~~penalty fee as provided in RCW 43.70.250. Failure to renew invalidates~~
17 ~~the license and all privileges granted by the license. The secretary~~
18 ~~shall determine by rule whether a license shall be canceled for failure~~
19 ~~to renew and shall establish procedures and requirements for~~
20 ~~relicensure.))~~

21 **Sec. 12.** RCW 18.30.120 and 1995 c 1 s 13 (Initiative Measure No.
22 607) are each amended to read as follows:

23 (1) (~~A license issued under RCW 18.30.080 is valid for two years.~~
24 ~~A license may be renewed by paying the renewal fee)) The licensing
25 period, administrative procedures, administrative requirements, and
26 fees shall be determined by the secretary as provided in RCW 43.70.250
27 and 43.70.280.~~

28 (2) (~~If a license issued is effective on a date other than July 1,~~
29 ~~it shall be valid until the following June 30.~~

30 ~~(3))~~ The license shall contain, on its face, the address or
31 addresses where the license holder will perform the denturist services.

32 **Sec. 13.** RCW 18.30.130 and 1995 c 198 s 23 are each amended to
33 read as follows:

34 The secretary shall establish by rule the (~~administrative~~)
35 requirements for renewal of licenses to practice denturism, but shall
36 not increase the licensure requirements provided in this chapter. The

1 secretary shall establish (~~a renewal and late renewal penalty in~~
2 ~~accordance with RCW 43.70.250. Failure to renew shall invalidate the~~
3 ~~license and all privileges granted by the license. The secretary shall~~
4 ~~determine by rule whether a license shall be canceled for failure to~~
5 ~~renew and shall establish procedures and prerequisites for~~
6 ~~relicensure~~) administrative procedures, administrative requirements,
7 and fees for license periods and renewals as provided in RCW 43.70.250
8 and 43.70.280.

9 **Sec. 14.** RCW 18.32.110 and 1991 c 3 s 63 are each amended to read
10 as follows:

11 Each applicant shall pay a fee determined by the secretary as
12 provided in RCW 43.70.250(~~, which shall accompany the application~~)
13 and 43.70.280.

14 **Sec. 15.** RCW 18.32.170 and 1991 c 3 s 66 are each amended to read
15 as follows:

16 A fee determined by the secretary as provided in RCW 43.70.250 and
17 43.70.280 shall be charged for every duplicate license issued by the
18 secretary.

19 **Sec. 16.** RCW 18.32.180 and 1994 sp.s. c 9 s 216 are each amended
20 to read as follows:

21 (~~(1)~~) Every person licensed to practice dentistry in this state
22 shall (~~register with the secretary, and pay a renewal registration fee~~
23 ~~determined by the secretary as provided in RCW 43.70.250. Any failure~~
24 ~~to register and pay the renewal registration fee renders the license~~
25 ~~invalid, and the practice of dentistry shall not be permitted. The~~
26 ~~license shall be reinstated upon written application to the secretary~~
27 ~~and payment to the state of a penalty fee determined by the secretary~~
28 ~~as provided in RCW 43.70.250, together with all delinquent license~~
29 ~~renewal fees.~~

30 (2) A person who fails to renew the license for a period of three
31 years may not renew the license under subsection (1) of this section.
32 In order to obtain a license to practice dentistry in this state, such
33 a person shall file an original application as provided for in this
34 chapter, along with the requisite fees.) renew his or her license and
35 comply with administrative procedures, administrative requirements, and
36 fees as determined by the secretary as provided in RCW 43.70.250 and

1 43.70.280. The commission, in its sole discretion, may permit the
2 applicant to be licensed without examination, and with or without
3 conditions, if it is satisfied that the applicant meets all the
4 requirements for licensure in this state and is competent to engage in
5 the practice of dentistry.

6 **Sec. 17.** RCW 18.32.220 and 1991 c 3 s 70 are each amended to read
7 as follows:

8 Anyone who is a licensed dentist in the state of Washington who
9 desires to change residence to another state or territory, shall, upon
10 application to the secretary and payment of a fee as determined by the
11 secretary under RCW 43.70.250 and 43.70.280, receive a certificate over
12 the signature of the secretary or his or her designee, which shall
13 attest to the facts mentioned in this section, and giving the date upon
14 which the dentist was licensed.

15 **Sec. 18.** RCW 18.34.120 and 1991 c 3 s 79 are each amended to read
16 as follows:

17 Each licensee hereunder shall pay ~~((an annual))~~ a renewal
18 registration fee determined by the secretary as provided in RCW
19 43.70.250~~((, on or before the first day of July of each year, and~~
20 ~~thereupon the license of such person shall be renewed for a period of~~
21 ~~one year. Any failure to pay the annual renewal registration fee shall~~
22 ~~render the license invalid, but such license shall be reinstated upon~~
23 ~~written application therefor to the secretary and payment of a penalty~~
24 ~~determined by the secretary as provided in RCW 43.70.250, together with~~
25 ~~all delinquent annual license renewal fees. In addition,))~~ and
26 43.70.280. The secretary may adopt rules establishing mandatory
27 continuing education requirements to be met by persons applying for
28 license renewal.

29 **Sec. 19.** RCW 18.35.060 and 1993 c 313 s 3 are each amended to read
30 as follows:

31 (1) The department shall issue a trainee license to any applicant
32 who has shown to the satisfaction of the department that the applicant:

33 (a) ~~((The applicant))~~ Is at least eighteen years of age;

34 (b) If issued a trainee license, would be employed and directly
35 supervised in the fitting and dispensing of hearing aids by a person

1 licensed in good standing as a fitter-dispenser for at least one year
2 unless otherwise approved by the board; and

3 (c) Has (~~(paid an application fee)~~) complied with administrative
4 procedures, administrative requirements, and fees determined by the
5 secretary as provided in RCW 43.70.250(~~(, to the department)~~) and
6 43.70.280.

7 The provisions of RCW 18.35.030, 18.35.110, and 18.35.120 shall
8 apply to any person issued a trainee license. Pursuant to the
9 provisions of this section, a person issued a trainee license may
10 engage in the fitting and dispensing of hearing aids without having
11 first passed the examination provided under this chapter.

12 (2) The trainee license shall contain the name of the person
13 licensed under this chapter who is employing and supervising the
14 trainee and that person shall execute an acknowledgment of
15 responsibility for all acts of the trainee in connection with the
16 fitting and dispensing of hearing aids.

17 (3) A trainee may fit and dispense hearing aids, but only if the
18 trainee is under the direct supervision of a person licensed under this
19 chapter in a capacity other than as a trainee. Direct supervision by
20 a licensed fitter-dispenser shall be required whenever the trainee is
21 engaged in the fitting or dispensing of hearing aids during the
22 trainee's first three months of full-time employment. The board shall
23 develop and adopt guidelines on any additional supervision or training
24 it deems necessary.

25 (4) (~~(The trainee license shall expire one year from the date of~~
26 ~~its issuance except that on recommendation of the board the license may~~
27 ~~be reissued for one additional year only)~~) No individual may hold a
28 trainee license for more than two years.

29 (5) No person licensed under this chapter may assume the
30 responsibility for more than two trainees at any one time, except that
31 the department may approve one additional trainee if none of the
32 trainees is within the initial ninety-day period of direct supervision
33 and the licensee demonstrates to the department's satisfaction that
34 adequate supervision will be provided for all trainees.

35 **Sec. 20.** RCW 18.35.080 and 1991 c 3 s 83 are each amended to read
36 as follows:

37 The department shall license each applicant(~~(, without~~
38 ~~discrimination,~~) who satisfactorily completes the required examination

1 and(~~(, upon payment of a fee determined by the secretary as provided in~~
2 ~~RCW 43.70.250 to the department, shall issue to the applicant a~~
3 ~~license. If a person does not apply for a license within three years~~
4 ~~of the successful completion of the license examination, reexamination~~
5 ~~is required for licensure. The license shall be effective until the~~
6 ~~licensee's next birthday at which time it is subject to renewal.~~
7 ~~Subsequent renewal dates shall coincide with the licensee's birthday))~~
8 complies with administrative procedures and administrative requirements
9 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

10 **Sec. 21.** RCW 18.35.090 and 1991 c 3 s 84 are each amended to read
11 as follows:

12 Each person who engages in the fitting and dispensing of hearing
13 aids shall ~~((as the department prescribes by rule, pay to the~~
14 ~~department a fee established by the secretary under RCW 43.70.250 for~~
15 ~~a renewal of the license))~~ comply with administrative procedures and
16 administrative requirements established by the secretary under RCW
17 43.70.250 and 43.70.280 and shall keep the license conspicuously posted
18 in the place of business at all times. ~~((Any person who fails to renew~~
19 ~~his or her license prior to the expiration date must pay a penalty fee~~
20 ~~in addition to the renewal fee and satisfy the requirements that may be~~
21 ~~set forth by rule promulgated by the secretary for reinstatement.))~~
22 The secretary may ~~((by rule))~~ establish mandatory continuing education
23 requirements and/or continued competency standards to be met by
24 licensees as a condition for license renewal.

25 **Sec. 22.** RCW 18.36A.130 and 1991 c 3 s 98 are each amended to read
26 as follows:

27 ~~((Applications for licensure shall be submitted on forms provided~~
28 ~~by the department. The department may require any information and~~
29 ~~documentation needed to determine if the applicant meets the criteria~~
30 ~~for licensure as provided in this chapter and chapter 18.130 RCW. Each~~
31 ~~applicant shall pay a fee determined by the secretary as provided in~~
32 ~~RCW 43.70.250. The fee shall be submitted with the application))~~
33 Applicants shall comply with administrative procedures, administrative
34 requirements, and fees determined by the secretary as provided in RCW
35 43.70.250 and 43.70.280.

1 **Sec. 23.** RCW 18.36A.140 and 1991 c 3 s 99 are each amended to read
2 as follows:

3 The secretary shall establish ~~((by rule))~~ the administrative
4 procedures, administrative requirements, and fees for renewal and late
5 renewal of licenses as provided in RCW 43.70.250 and 43.70.280. ~~((The~~
6 ~~secretary shall establish a renewal and late renewal penalty fee as~~
7 ~~provided in RCW 43.70.250. Failure to renew shall invalidate the~~
8 ~~license and all privileges granted by the license. The secretary shall~~
9 ~~determine by rule whether a license shall be canceled for failure to~~
10 ~~renew and shall establish procedures and prerequisites for~~
11 ~~relicensure.))~~

12 **Sec. 24.** RCW 18.50.050 and 1991 c 3 s 108 are each amended to read
13 as follows:

14 ~~((If the application is approved and the candidate shall have~~
15 ~~deposited an examination fee determined by the secretary as provided in~~
16 ~~RCW 43.70.250 with the secretary, the candidate shall be admitted to~~
17 ~~the examination, and in case of failure to pass the examination, may be~~
18 ~~reexamined at any regular examination within one year without the~~
19 ~~payment of an additional fee, said fee to be retained by the secretary~~
20 ~~after failure to pass the second examination))~~ Applicants shall comply
21 with administrative procedures, administrative requirements, and fees
22 determined by the secretary as provided by RCW 43.70.250 and 43.70.280.

23 **Sec. 25.** RCW 18.50.102 and 1991 c 3 s 110 are each amended to read
24 as follows:

25 Every person licensed to practice midwifery shall register with the
26 secretary ~~((annually))~~ and pay ~~((an annual))~~ a renewal ~~((registration))~~
27 fee determined by the secretary as provided in RCW 43.70.250 ~~((on or~~
28 ~~before the licensee's birth anniversary date. The license of the~~
29 ~~person shall be renewed for a period of one year. Any failure to~~
30 ~~register and pay the annual renewal registration fee shall render the~~
31 ~~license invalid. The license shall be reinstated upon written~~
32 ~~application to the secretary, payment to the state of a penalty fee~~
33 ~~determined by the secretary as provided in RCW 43.70.250, and payment~~
34 ~~to the state of all delinquent annual license renewal fees. Any person~~
35 ~~who fails to renew his or her license for a period of three years shall~~
36 ~~not be entitled to renew such license under this section. Such person,~~
37 ~~in order to obtain a license to practice midwifery in this state, shall~~

1 file a new application under this chapter, along with the required fee.
2 The secretary, in the secretary's discretion, may permit the applicant
3 to be licensed without examination if satisfied that the applicant
4 meets all the requirements for licensure in this state and is competent
5 to engage in the practice of midwifery)) and 43.70.280.

6 **Sec. 26.** RCW 18.52.110 and 1992 c 53 s 8 are each amended to read
7 as follows:

8 (1) Every holder of a nursing home administrator's license shall
9 ~~((reregister on dates specified by the secretary. Such relicensure
10 shall be granted upon receipt of a fee determined by the secretary as
11 provided in RCW 43.70.250, and upon))~~ renew that license by fulfilling
12 the continuing competency requirement and by complying with
13 administrative procedures, administrative requirements, and fees as
14 determined by the secretary according to RCW 43.70.250 and 43.70.280.
15 ~~((In the event that any license is not reregistered, the secretary may
16 charge up to double the relicensure fee. In the event that the license
17 of an individual is not relicensed within two years from the most
18 recent date for relicensure it shall lapse and such individual must
19 again apply for licensing and meet all requirements of this chapter for
20 a new applicant.))~~ The board may prescribe rules for maintenance of a
21 license ~~((at a reduced fee))~~ for temporary or permanent withdrawal or
22 retirement from the active practice of nursing home administration.

23 (2) A condition of ~~((relicensure))~~ renewal shall be the
24 presentation of proof by the applicant that the board requirement for
25 continuing competency related to the administration of nursing homes
26 has been met.

27 **Sec. 27.** RCW 18.52.130 and 1992 c 53 s 9 are each amended to read
28 as follows:

29 The secretary may issue a nursing home administrator's license to
30 anyone who holds a current administrator's license from another
31 jurisdiction upon receipt of an application ~~((fee and an annual license
32 fee, as provided in RCW 43.70.250))~~ and complying with administrative
33 procedures, administrative requirements, and fees determined by the
34 secretary according to RCW 43.70.250 and 43.70.280, if the standards
35 for licensing in such other jurisdiction are substantially equivalent
36 to those prevailing in this state, and that the applicant is otherwise
37 qualified as determined by the board.

1 **Sec. 28.** RCW 18.52C.030 and 1991 c 3 s 131 are each amended to
2 read as follows:

3 A person who operates a nursing pool shall register the pool with
4 the secretary. Each separate location of the business of a nursing
5 pool shall have a separate registration.

6 The secretary(~~(, by rule,)~~) shall establish (~~((forms and procedures~~
7 ~~for the processing of nursing pool registration applications, including~~
8 ~~the payment of registration fees pursuant to RCW 43.70.250. An~~
9 ~~application for a nursing pool registration shall include at least the~~
10 ~~following information:~~

11 ~~(1) The names and addresses of the owner or owners of the nursing~~
12 ~~pool; and~~

13 ~~(2) If the owner is a corporation, copies of its articles of~~
14 ~~incorporation and current bylaws, together with the names and addresses~~
15 ~~of its officers and directors.~~

16 A registration issued by the secretary in accordance with this
17 section shall remain effective for a period of one year from the date
18 of its issuance unless the registration is revoked or suspended
19 pursuant to RCW 18.52C.040(4), or unless the nursing pool is sold or
20 ownership or management is transferred, in which case the registration
21 of the nursing pool shall be voided and the new owner or operator shall
22 ~~apply for a new registration))~~ administrative procedures,
23 administrative requirements, and fees as provided in RCW 43.70.250 and
24 43.70.280.

25 **Sec. 29.** RCW 18.53.050 and 1991 c 3 s 134 are each amended to read
26 as follows:

27 Every (~~(registered))~~ licensed optometrist shall (~~(annually or on~~
28 ~~the date specified by the secretary pay to the state treasurer a~~
29 ~~renewal fee, to be determined by the secretary as provided in RCW~~
30 ~~43.70.250, and failure to pay such fee within the prescribed time shall~~
31 ~~cause the suspension of his or her certificate)) renew his or her
32 license by complying with administrative procedures, administrative
33 requirements, and fees determined by the secretary according to RCW
34 43.70.250 and 43.70.280.~~

35 **Sec. 30.** RCW 18.53.070 and 1991 c 3 s 136 are each amended to read
36 as follows:

1 (~~The fees for application for examination and~~) Administrative
2 procedures, administrative requirements, and fees for issuing a
3 (~~certificate of registration~~) license shall be determined by the
4 secretary as provided in RCW 43.70.250(~~, which shall be paid to the~~
5 ~~secretary as he or she shall prescribe~~) and 43.70.280.

6 **Sec. 31.** RCW 18.55.030 and 1991 c 3 s 143 are each amended to read
7 as follows:

8 (~~Upon receipt of an application for a license and the license fee~~
9 ~~as determined by the secretary, the secretary shall issue a license if~~
10 ~~the applicant meets the requirements established under this chapter.~~
11 ~~The license, unless suspended or revoked, shall be renewed annually.~~
12 ~~All licenses issued under the provisions of this chapter shall expire~~
13 ~~on the 1st day of July~~) The secretary shall determine administrative
14 procedures, administrative requirements, and fees for licenses and
15 renewals as provided in RCW 43.70.250 and 43.70.280.

16 **Sec. 32.** RCW 18.55.040 and 1991 c 180 s 4 are each amended to read
17 as follows:

18 No applicant shall be licensed under this chapter until the
19 applicant (~~pays an examination fee determined by the secretary, as~~
20 ~~provided in RCW 43.70.250, and certifies under oath after furnishing~~
21 ~~satisfactory documentation,~~) complies with administrative procedures,
22 administrative requirements, and fees determined by the secretary
23 according to RCW 43.70.250 and 43.70.280. Qualifications must require
24 that the applicant:

- 25 (1) Is eighteen years or more of age;
- 26 (2) Has graduated from high school or has received a general
27 equivalency degree;
- 28 (3) Is of good moral character; and
- 29 (4)(a) Had at least ten thousand hours of apprenticeship training
30 under the direct supervision of a licensed ocularist; or
- 31 (b) Successfully completed a prescribed course in ocularist
32 training programs approved by the secretary; or
- 33 (c) Has had at least ten thousand hours of apprenticeship training
34 under the direct supervision of a practicing ocularist, or has the
35 equivalent experience as a practicing ocularist, or any combination of
36 training and supervision, not in the state of Washington; and

1 (5) Successfully passes an examination conducted or approved by the
2 secretary.

3 **Sec. 33.** RCW 18.55.050 and 1991 c 180 s 6 are each amended to read
4 as follows:

5 Every individual licensed or registered under this chapter shall
6 ~~((pay an annual license or registration renewal fee))~~ comply with
7 administrative procedures, administrative requirements, and fees
8 determined by the secretary, as provided by RCW 43.70.250~~((, on or~~
9 ~~before the expiration date established by the secretary. An~~
10 ~~application for renewal shall be on the form provided by the secretary~~
11 ~~and shall be filed with the department of health not less than ten days~~
12 ~~prior to its expiration. Each application for renewal shall be~~
13 ~~accompanied by a renewal fee in an amount to be determined by the~~
14 ~~secretary. Any license or registration not renewed as provided in this~~
15 ~~section shall be invalid.~~

16 The secretary may provide by rule the procedures that may allow for
17 the reinstatement of a license or registration upon payment of the
18 renewal fee and a late renewal penalty fee)) and 43.70.280 to renew his
19 or her license.

20 **Sec. 34.** RCW 18.57.035 and 1991 c 160 s 9 are each amended to read
21 as follows:

22 The board may grant approval to issue without examination a license
23 to an osteopathic physician and surgeon in a board-approved
24 postgraduate training program in this state if the applicant files an
25 application and meets all the requirements for licensure set forth in
26 RCW 18.57.020 except for completion of one year of postgraduate
27 training. The secretary shall issue a postgraduate osteopathic
28 medicine and surgery license that permits the physician in postgraduate
29 training to practice osteopathic medicine and surgery only in
30 connection with his or her duties as a physician in postgraduate
31 training and does not authorize the physician to engage in any other
32 form of practice. Each physician in postgraduate training shall
33 practice osteopathic medicine and surgery only under the supervision of
34 a physician licensed in this state under this chapter or chapter 18.71
35 RCW, but such supervision shall not be construed to necessarily require
36 the personal presence of the supervising physician at the place where
37 services are rendered.

1 All persons licensed under this section shall be subject to the
2 jurisdiction of the board of osteopathic medicine and surgery as set
3 forth in this chapter and chapter 18.130 RCW.

4 Persons applying for licensure pursuant to this section shall (~~pay~~
5 ~~an application and renewal fee~~) comply with administrative procedures,
6 administrative requirements, and fees determined by the secretary as
7 provided in RCW 43.70.250(~~(. Licenses issued hereunder may be renewed~~
8 ~~annually)~~) and 43.70.280. Any person who obtains a license pursuant to
9 this section may, apply for licensure under this chapter, but shall
10 submit a new application form and comply with all other licensing
11 requirements of this chapter.

12 **Sec. 35.** RCW 18.57.045 and 1991 c 160 s 4 are each amended to read
13 as follows:

14 A licensed osteopathic physician and surgeon who desires to leave
15 the active practice of osteopathic medicine and surgery in this state
16 may secure from the secretary an inactive license. The (~~initial and~~
17 ~~renewal~~) administrative procedures, administrative requirements, and
18 fees for an inactive license shall be determined by the secretary as
19 provided in RCW 43.70.250 and 43.70.280. The holder of an inactive
20 license may reactivate his or her license to practice osteopathic
21 medicine and surgery in accordance with rules adopted by the board.

22 **Sec. 36.** RCW 18.57.050 and 1991 c 160 s 6 are each amended to read
23 as follows:

24 (~~Each applicant on making application shall pay the secretary a~~
25 ~~fee determined by the secretary as provided in RCW 43.70.250.~~
26 ~~Application fees are nonrefundable.~~) The board may establish rules
27 and regulations governing mandatory continuing education requirements
28 which shall be met by physicians applying for renewal of licenses. The
29 secretary shall establish (~~a renewal and late renewal penalty fee as~~
30 ~~provided in RCW 43.70.250. Failure to renew the license invalidates~~
31 ~~all privileges granted by the license~~) administrative procedures,
32 administrative requirements, and fees for applications and renewals as
33 provided in RCW 43.70.250 and 43.70.280. The board shall determine
34 (~~by rule when a license shall be canceled for failure to renew and~~
35 ~~shall establish~~) prerequisites for relicensing.

1 **Sec. 37.** RCW 18.57.080 and 1991 c 160 s 7 are each amended to read
2 as follows:

3 Applicants for a license to practice osteopathic medicine and
4 surgery must successfully complete an examination prepared or approved
5 by the board. The examination shall be conducted in the English
6 language, shall determine the applicant's fitness to practice
7 osteopathic medicine and surgery, and may be in whole or in part in
8 writing or by practical application on those general subjects and
9 topics of which knowledge is commonly and generally required of
10 applicants who have obtained the doctor of osteopathic medicine and
11 surgery conferred by accredited schools of osteopathic medicine and
12 surgery approved by the board. If an examination does not encompass
13 the subject of osteopathic principles and practice, the applicant shall
14 be required to complete the board-administered examination. The board
15 may prepare and administer or approve preparation and administration of
16 examinations on such subjects as the board deems advisable. The
17 examination papers of any examination administered by the board shall
18 form a part of the applicant's records and shall be retained as
19 determined by the secretary for a period of not less than one year.
20 All applicants for examination or reexamination shall (~~pay a fee~~)
21 comply with administrative procedures, administrative requirements, and
22 fees determined by the secretary as provided in RCW 43.70.250 and
23 43.70.280.

24 **Sec. 38.** RCW 18.57.130 and 1991 c 160 s 10 and 1991 c 3 s 151 are
25 each reenacted and amended to read as follows:

26 Any person who meets the requirements of RCW 18.57.020 as now or
27 hereafter amended and has been examined and licensed to practice
28 osteopathic medicine and surgery by a state board of examiners of
29 another state or the duly constituted authorities of another state
30 authorized to issue licenses to practice osteopathic medicine and
31 surgery upon examination, shall upon approval of the board be entitled
32 to receive a license to practice osteopathic medicine and surgery in
33 this state upon (~~the payment of~~) complying with administrative
34 procedures, administrative requirements, and paying a fee determined by
35 the secretary as provided in RCW 43.70.250 (~~to the state treasurer~~)
36 and 43.70.280 and filing a copy of his or her license in such other
37 state, duly certified by the authorities granting the license to be a
38 full, true, and correct copy thereof, and certifying also that the

1 standard of requirements adopted by such authorities as provided by the
2 law of such state is substantially equal to that provided for by the
3 provisions of this chapter: PROVIDED, That no license shall issue
4 without examination to any person who has previously failed in an
5 examination held in this state: PROVIDED, FURTHER, That all licenses
6 herein mentioned may be revoked for unprofessional conduct, in the same
7 manner and upon the same grounds as if issued under this chapter:
8 PROVIDED, FURTHER, That no one shall be permitted to practice surgery
9 under this chapter who has not a license to practice osteopathic
10 medicine and surgery.

11 **Sec. 39.** RCW 18.57A.020 and 1993 c 28 s 1 are each amended to read
12 as follows:

13 (1) The board shall adopt rules fixing the qualifications and the
14 educational and training requirements for licensure as an osteopathic
15 physician assistant or for those enrolled in any physician assistant
16 training program. The requirements shall include completion of an
17 accredited physician assistant training program approved by the board
18 and eligibility to take an examination approved by the board, providing
19 such examination tests subjects substantially equivalent to the
20 curriculum of an accredited physician assistant training program.

21 (2)(a) The board shall adopt rules governing the extent to which:

22 (i) Physician assistant students may practice medicine during
23 training; and

24 (ii) Physician assistants may practice after successful completion
25 of a training course.

26 (b) Such rules shall provide:

27 (i) That the practice of an osteopathic physician assistant shall
28 be limited to the performance of those services for which he or she is
29 trained; and

30 (ii) That each osteopathic physician assistant shall practice
31 osteopathic medicine only under the supervision and control of an
32 osteopathic physician licensed in this state, but such supervision and
33 control shall not be construed to necessarily require the personal
34 presence of the supervising physicians at the place where services are
35 rendered. The board may authorize the use of alternative supervisors
36 who are licensed either under chapter 18.57 or 18.71 RCW.

37 (3) Applicants for licensure shall file an application with the
38 board on a form prepared by the secretary with the approval of the

1 board, detailing the education, training, and experience of the
2 physician assistant and such other information as the board may
3 require. The application shall be accompanied by a fee determined by
4 the secretary as provided in RCW 43.70.250 and 43.70.280. Each
5 applicant shall furnish proof satisfactory to the board of the
6 following:

7 (a) That the applicant has completed an accredited physician
8 assistant program approved by the board and is eligible to take the
9 examination approved by the board;

10 (b) That the applicant is of good moral character; and

11 (c) That the applicant is physically and mentally capable of
12 practicing osteopathic medicine as an osteopathic physician assistant
13 with reasonable skill and safety. The board may require any applicant
14 to submit to such examination or examinations as it deems necessary to
15 determine an applicant's physical and/or mental capability to safely
16 practice as an osteopathic physician assistant.

17 (4) The board may approve, deny, or take other disciplinary action
18 upon the application for a license as provided in the uniform
19 disciplinary act, chapter 18.130 RCW. The license shall be renewed
20 (~~on a periodic basis as determined by the secretary under RCW~~
21 ~~43.70.280, upon payment of a fee determined by the secretary as~~
22 ~~provided in RCW 43.70.250 and submission of a completed renewal~~
23 ~~application, in addition to any late renewal penalty fees as determined~~
24 ~~by the secretary as provided in RCW 43.70.250)) as determined by the
25 secretary under RCW 43.70.250 and 43.70.280.~~

26 **Sec. 40.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended
27 to read as follows:

28 (1) No physician assistant practicing in this state shall be
29 employed or supervised by a physician or physician group without the
30 approval of the commission.

31 (2) Prior to commencing practice, a physician assistant licensed in
32 this state shall apply to the commission for permission to be employed
33 or supervised by a physician or physician group. The practice
34 arrangement plan shall be jointly submitted by the physician or
35 physician group and physician assistant. The secretary may (~~charge a~~
36 ~~fee as provided in RCW 43.70.250 to recover the cost for the plan~~
37 ~~review)) establish administrative procedures, administrative
38 requirements, and fees as provided in RCW 43.70.250 and 43.70.280. The~~

1 practice arrangement plan shall delineate the manner and extent to
2 which the physician assistant would practice and be supervised.
3 Whenever a physician assistant is practicing in a manner inconsistent
4 with the approved practice arrangement plan, the medical disciplinary
5 (~~board [commission]~~) commission may take disciplinary action under
6 chapter 18.130 RCW.

7 **Sec. 41.** RCW 18.59.110 and 1991 c 3 s 156 are each amended to read
8 as follows:

9 The secretary shall prescribe (~~and publish fees in amounts~~
10 ~~determined by the secretary as provided in RCW 43.70.250 for the~~
11 ~~following purposes:~~

- 12 ~~(1) Application for examination;~~
- 13 ~~(2) Initial license fee;~~
- 14 ~~(3) Renewal of license fee;~~
- 15 ~~(4) Late renewal fee; and~~
- 16 ~~(5) Limited permit fee.~~

17 ~~The fees shall be set in such an amount as to reimburse the state,~~
18 ~~to the extent feasible, for the cost of the services rendered))~~
19 administrative procedures, administrative requirements, and fees as
20 provided in RCW 43.70.250 and 43.70.280 for applications, initial and
21 renewal licenses, and limited permits.

22 **Sec. 42.** RCW 18.64.040 and 1989 1st ex.s. c 9 s 413 are each
23 amended to read as follows:

24 Every applicant for license examination under this chapter shall
25 pay the sum determined by the secretary under RCW 43.70.250 and
26 43.70.280 before the examination is attempted.

27 **Sec. 43.** RCW 18.64.043 and 1991 c 229 s 3 are each amended to read
28 as follows:

29 (1) The owner of each pharmacy shall pay an original license fee to
30 be determined by the secretary, and annually thereafter, on or before
31 a date to be determined by the secretary, a fee to be determined by the
32 secretary, for which he or she shall receive a license of location,
33 which shall entitle the owner to operate such pharmacy at the location
34 specified, or such other temporary location as the secretary may
35 approve, for the period ending on a date to be determined by the
36 secretary as provided in RCW 43.70.250 and 43.70.280, and each such

1 owner shall at the time of filing proof of payment of such fee as
2 provided in RCW 18.64.045 as now or hereafter amended, file with the
3 department on a blank therefor provided, a declaration of ownership and
4 location, which declaration of ownership and location so filed as
5 aforesaid shall be deemed presumptive evidence of ownership of the
6 pharmacy mentioned therein.

7 (2) It shall be the duty of the owner to immediately notify the
8 department of any change of location or ownership and to keep the
9 license of location or the renewal thereof properly exhibited in said
10 pharmacy.

11 (3) Failure to comply with this section shall be deemed a
12 misdemeanor, and each day that said failure continues shall be deemed
13 a separate offense.

14 (4) In the event such license fee remains unpaid on the date due,
15 no renewal or new license shall be issued except upon (~~payment of the~~
16 ~~license renewal fee and a penalty fee equal to the original license~~
17 ~~fee~~) compliance with administrative procedures, administrative
18 requirements, and fees determined by the secretary as provided in RCW
19 43.70.250 and 43.70.280.

20 **Sec. 44.** RCW 18.64.045 and 1991 c 229 s 4 are each amended to read
21 as follows:

22 The owner of each and every place of business which manufactures
23 drugs shall pay a license fee to be determined by the secretary, and
24 thereafter, on or before a date to be determined by the secretary, a
25 fee to be determined by the secretary as provided in RCW 43.70.250 and
26 43.70.280, for which the owner shall receive a license of location from
27 the department, which shall entitle the owner to manufacture drugs at
28 the location specified for the period ending on a date to be determined
29 by the (~~board~~) secretary, and each such owner shall at the time of
30 payment of such fee file with the department, on a blank therefor
31 provided, a declaration of ownership and location, which declaration of
32 ownership and location so filed as aforesaid shall be deemed
33 presumptive evidence of the ownership of such place of business
34 mentioned therein. It shall be the duty of the owner to notify
35 immediately the department of any change of location or ownership and
36 to keep the license of location or the renewal thereof properly
37 exhibited in such place of business. Failure to conform with this
38 section shall be deemed a misdemeanor, and each day that said failure

1 continues shall be deemed a separate offense. In event such license
2 fee remains unpaid on the date due, no renewal or new license shall be
3 issued except upon (~~payment of the license renewal fee and a penalty~~
4 ~~fee equal to the license renewal fee~~) compliance with administrative
5 procedures, administrative requirements, and fees determined by the
6 secretary as provided in RCW 43.70.250 and 43.70.280.

7 **Sec. 45.** RCW 18.64.046 and 1991 c 229 s 5 are each amended to read
8 as follows:

9 The owner of each place of business which sells legend drugs and
10 nonprescription drugs, or nonprescription drugs at wholesale shall pay
11 a license fee to be determined by the secretary, and thereafter, on or
12 before a date to be determined by the secretary as provided in RCW
13 43.70.250 and 43.70.280, a like fee to be determined by the secretary,
14 for which the owner shall receive a license of location from the
15 department, which shall entitle such owner to either sell legend drugs
16 and nonprescription drugs or nonprescription drugs at wholesale at the
17 location specified for the period ending on a date to be determined by
18 the (~~board~~) secretary, and each such owner shall at the time of
19 payment of such fee file with the department, on a blank therefor
20 provided, a declaration of ownership and location, which declaration of
21 ownership and location so filed as aforesaid shall be deemed
22 presumptive evidence of the ownership of such place of business
23 mentioned therein. It shall be the duty of the owner to notify
24 immediately the department of any change of location and ownership and
25 to keep the license of location or the renewal thereof properly
26 exhibited in such place of business. Failure to conform with this
27 section shall be deemed a misdemeanor, and each day that said failure
28 continues shall be deemed a separate offense. In event such license
29 fee remains unpaid on the date due, no renewal or new license shall be
30 issued except upon (~~payment of the license renewal fee and a penalty~~
31 ~~fee equal to the license renewal fee~~) compliance with administrative
32 procedures, administrative requirements, and fees determined by the
33 secretary as provided in RCW 43.70.250 and 43.70.280.

34 **Sec. 46.** RCW 18.64.047 and 1991 c 229 s 6 are each amended to read
35 as follows:

36 Any itinerant vendor or any peddler of any nonprescription drug or
37 preparation for the treatment of disease or injury, shall pay a

1 registration fee determined by the secretary on a date to be determined
2 by the secretary as provided in RCW 43.70.250 and 43.70.280. The
3 department may issue a registration to such vendor on an approved
4 application made to the department. Any itinerant vendor or peddler
5 who shall vend or sell, or offer to sell to the public any such
6 nonprescription drug or preparation without having registered to do so
7 as provided in this section, shall be guilty of a misdemeanor and each
8 sale or offer to sell shall constitute a separate offense. In event
9 such registration fee remains unpaid on the date due, no renewal or new
10 registration shall be issued except upon ~~((payment of the registration
11 renewal fee and a penalty fee equal to the renewal fee))~~ compliance
12 with administrative procedures, administrative requirements, and fees
13 determined by the secretary as provided in RCW 43.70.250 and 43.70.280.
14 This registration shall not authorize the sale of legend drugs or
15 controlled substances.

16 **Sec. 47.** RCW 18.64.140 and 1991 c 229 s 7 are each amended to read
17 as follows:

18 Every licensed pharmacist who desires to practice pharmacy shall
19 secure from the department a license, the fee for which shall be
20 determined by the secretary under RCW 43.70.250 and 43.70.280. The
21 administrative procedures, administrative requirements, renewal fee,
22 and late renewal fee shall also be determined by the secretary under
23 RCW 43.70.250 and 43.70.280. ~~((The date of renewal may be established
24 by the secretary by regulation and the department may by regulation
25 extend the duration of a licensing period for the purpose of staggering
26 renewal periods. Such regulation may provide a method for imposing and
27 collecting such additional proportional fee as may be required for the
28 extended period.))~~ Payment of this fee shall entitle the licensee to
29 a pharmacy law book, subsequent current mailings of all additions,
30 changes, or deletions in the pharmacy practice act, chapter 18.64 RCW,
31 and all additions, changes, or deletions of pharmacy board and
32 department regulations. ~~((Pharmacists shall pay the license renewal
33 fee and a penalty equal to the license renewal fee for the late renewal
34 of their license.))~~ The current license shall be conspicuously
35 displayed to the public in the pharmacy to which it applies. Any
36 licensed pharmacist who desires to leave the active practice of
37 pharmacy in this state may secure from the department an inactive
38 license. The initial license and renewal fees shall be determined by

1 the secretary under RCW 43.70.250 and 43.70.280. The holder of an
2 inactive license may reactivate his or her license to practice pharmacy
3 in accordance with rules adopted by the board.

4 **Sec. 48.** RCW 18.64.205 and 1991 c 229 s 2 are each amended to read
5 as follows:

6 The board may adopt rules pursuant to this section authorizing a
7 retired active license status. An individual licensed pursuant to this
8 chapter, who is practicing only in emergent or intermittent
9 circumstances as defined by rule established by the board, may hold a
10 retired active license at a reduced renewal fee established by the
11 secretary under RCW 43.70.250 and 43.70.280. Such a license shall meet
12 the continuing education requirements, if any, established by the board
13 for renewals, and is subject to the provisions of the uniform
14 disciplinary act, chapter 18.130 RCW. Individuals who have entered
15 into retired status agreements with the disciplinary authority in any
16 jurisdiction shall not qualify for a retired active license under this
17 section.

18 **Sec. 49.** RCW 18.64.310 and 1989 1st ex.s. c 9 s 410 are each
19 amended to read as follows:

20 The department shall:

21 (1) Establish reasonable license and examination fees and fees for
22 services to other agencies in accordance with RCW 43.70.250 and
23 43.70.280. In cases where there are unanticipated demands for
24 services, the department may request payment for services directly from
25 the agencies for whom the services are performed, to the extent that
26 revenues or other funds are available. Drug-related investigations
27 regarding licensed health care practitioners shall be funded by an
28 appropriation to the department from the health professions account.
29 The payment may be made on either an advance or a reimbursable basis
30 as approved by the director of financial management;

31 (2) Employ, with confirmation by the board, an executive officer,
32 who shall be exempt from the provisions of chapter 41.06 RCW and who
33 shall be a pharmacist licensed in Washington, and employ inspectors,
34 investigators, chemists, and other persons as necessary to assist it
35 for any purpose which it may deem necessary;

1 (3) Investigate and prosecute, at the direction of the board,
2 including use of subpoena powers, violations of law or regulations
3 under its jurisdiction or the jurisdiction of the board of pharmacy;

4 (4) Make, at the direction of the board, inspections and
5 investigations of pharmacies and other places, including dispensing
6 machines, in which drugs or devices are stored, held, compounded,
7 dispensed, sold, or administered to the ultimate consumer, to take and
8 analyze any drugs or devices and to seize and condemn any drugs or
9 devices which are adulterated, misbranded, stored, held, dispensed,
10 distributed, administered, or compounded in violation of or contrary to
11 law. The written operating agreement between the department and the
12 board, as required by RCW 43.70.240 shall include provisions for the
13 department to involve the board in carrying out its duties required by
14 this section.

15 **Sec. 50.** RCW 18.64A.030 and 1989 1st ex.s. c 9 s 423 are each
16 amended to read as follows:

17 The board shall adopt, in accordance with chapter 34.05 RCW, rules
18 and regulations governing the extent to which pharmacy assistants may
19 perform services associated with the practice of pharmacy during
20 training and after successful completion of a training course. Such
21 regulations shall provide for the certification of pharmacy assistants
22 by the department at a fee determined by the secretary under RCW
23 43.70.250 and 43.70.280 according to the following levels of
24 classification:

25 (1) "Level A pharmacy assistants" may assist in performing, under
26 the immediate supervision and control of a licensed pharmacist,
27 manipulative, nondiscretionary functions associated with the practice
28 of pharmacy.

29 (2) "Level B pharmacy assistants" may perform, under the general
30 supervision of a licensed pharmacist, duties including but not limited
31 to, typing of prescription labels, filing, refiling, bookkeeping,
32 pricing, stocking, delivery, nonprofessional phone inquiries, and
33 documentation of third party reimbursements.

34 **Sec. 51.** RCW 18.64A.060 and 1989 1st ex.s. c 9 s 425 are each
35 amended to read as follows:

36 No pharmacy licensed in this state shall utilize the services of
37 pharmacy assistants without approval of the board.

1 Any pharmacy licensed in this state may apply to the board for
2 permission to use the services of pharmacy assistants. The application
3 shall be accompanied by a ~~((uniform))~~ fee ~~((to be determined by))~~ and
4 shall comply with administrative procedures and administrative
5 requirements set by the secretary pursuant to RCW 43.70.250 and
6 43.70.280, shall detail the manner and extent to which the pharmacy
7 assistants would be used and supervised, and shall provide other
8 information in such form as the secretary may require.

9 The board may approve or reject such applications. In addition,
10 the board may modify the proposed utilization of pharmacy assistants
11 and approve the application as modified. ~~((No such approval shall~~
12 ~~extend for more than one year, but approval once granted may be renewed~~
13 ~~annually upon payment of a uniform fee as determined by the~~
14 ~~secretary.))~~ Whenever it appears to the board that a pharmacy
15 assistant is being utilized in a manner inconsistent with the approval
16 granted, the board may withdraw such approval. In the event a hearing
17 is requested upon the rejection of an application, or upon the
18 withdrawal of approval, a hearing shall be conducted in accordance with
19 chapter 18.64 RCW, as now or hereafter amended, and appeal may be taken
20 in accordance with the Administrative Procedure Act, chapter 34.05 RCW.

21 **Sec. 52.** RCW 18.71.080 and 1994 sp.s. c 9 s 312 are each amended
22 to read as follows:

23 Every person licensed to practice medicine in this state shall
24 ~~((register with the secretary of health annually, and pay an annual~~
25 ~~renewal registration fee determined by the secretary as provided in RCW~~
26 ~~43.70.250))~~ pay licensing fees and renew his or her license in
27 accordance with administrative procedures and administrative
28 requirements adopted by the secretary as provided in RCW 43.70.250 and
29 43.70.280. The commission may establish rules governing mandatory
30 continuing education requirements which shall be met by physicians
31 applying for renewal of licenses. The rules shall provide that
32 mandatory continuing education requirements may be met in part by
33 physicians showing evidence of the completion of approved activities
34 relating to professional liability risk management. ~~((Any failure to~~
35 ~~register and pay the annual renewal registration fee shall render the~~
36 ~~license invalid, but such license shall be reinstated upon written~~
37 ~~application therefor to the secretary, and payment to the state of a~~
38 ~~penalty fee determined by the secretary as provided in RCW 43.70.250,~~

1 ~~together with all delinquent annual license renewal fees: PROVIDED,~~
2 ~~HOWEVER, That any person who fails to renew the license for a period of~~
3 ~~three years, shall in no event be entitled to renew the license under~~
4 ~~this section. Such a person in order to obtain a license to practice~~
5 ~~medicine in this state, shall file an original application as provided~~
6 ~~for in this chapter, along with the requisite fee therefor.))~~ The
7 commission, in its sole discretion, may permit ((such)) an applicant
8 who has not renewed his or her license to be licensed without
9 examination if it is satisfied that such applicant meets all the
10 requirements for licensure in this state, and is competent to engage in
11 the practice of medicine.

12 **Sec. 53.** RCW 18.71.085 and 1994 sp.s. c 9 s 313 are each amended
13 to read as follows:

14 The commission may adopt rules pursuant to this section authorizing
15 an inactive license status.

16 (1) An individual licensed pursuant to chapter 18.71 RCW may place
17 his or her license on inactive status. The holder of an inactive
18 license shall not practice medicine and surgery in this state without
19 first activating the license.

20 (2) The administrative procedures, administrative requirements, and
21 fee for inactive renewal ((fee)) shall be established by the secretary
22 pursuant to RCW 43.70.250 and 43.70.280. ((Failure to renew an
23 inactive license shall result in cancellation in the same manner as an
24 active license.))

25 (3) An inactive license may be placed in an active status upon
26 compliance with rules established by the commission.

27 (4) Provisions relating to disciplinary action against a person
28 with a license shall be applicable to a person with an inactive
29 license, except that when disciplinary proceedings against a person
30 with an inactive license have been initiated, the license shall remain
31 inactive until the proceedings have been completed.

32 **Sec. 54.** RCW 18.71.095 and 1994 sp.s. c 9 s 315 are each amended
33 to read as follows:

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

36 (1) The commission may, upon the written request of the secretary
37 of the department of social and health services or the secretary of

1 corrections, issue a limited license to practice medicine in this state
2 to persons who have been accepted for employment by the department of
3 social and health services or the department of corrections as
4 physicians; who are licensed to practice medicine in another state of
5 the United States or in the country of Canada or any province or
6 territory thereof; and who meet all of the qualifications for licensure
7 set forth in RCW 18.71.050.

8 Such license shall permit the holder thereof to practice medicine
9 only in connection with patients, residents, or inmates of the state
10 institutions under the control and supervision of the secretary of the
11 department of social and health services or the department of
12 corrections.

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

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

22 (3) Upon receipt of a completed application showing that the
23 applicant meets all of the requirements for licensure set forth in RCW
24 18.71.050 except for completion of two years of postgraduate medical
25 training, and that the applicant has been appointed as a resident
26 physician in a program of postgraduate clinical training in this state
27 approved by the commission, the commission may issue a limited license
28 to a resident physician. Such license shall permit the resident
29 physician to practice medicine only in connection with his or her
30 duties as a resident physician and shall not authorize the physician to
31 engage in any other form of practice. Each resident physician shall
32 practice medicine only under the supervision and control of a physician
33 licensed in this state, but such supervision and control shall not be
34 construed to necessarily require the personal presence of the
35 supervising physician at the place where services are rendered.

36 (4)(a) Upon nomination by the dean of the school of medicine at the
37 University of Washington or the chief executive officer of a hospital
38 or other appropriate health care facility licensed in the state of
39 Washington, the commission may issue a limited license to a physician

1 applicant invited to serve as a teaching-research member of the
2 institution's instructional staff if the sponsoring institution and the
3 applicant give evidence that he or she has graduated from a recognized
4 medical school and has been licensed or otherwise privileged to
5 practice medicine at his or her location of origin. Such license shall
6 permit the recipient to practice medicine only within the confines of
7 the instructional program specified in the application and shall
8 terminate whenever the holder ceases to be involved in that program, or
9 at the end of one year, whichever is earlier. Upon request of the
10 applicant and the institutional authority, the license may be renewed
11 for no more than a total of two years.

12 (b) Upon nomination by the dean of the school of medicine of the
13 University of Washington or the chief executive officer of any hospital
14 or appropriate health care facility licensed in the state of
15 Washington, the commission may issue a limited license to an applicant
16 selected by the sponsoring institution to be enrolled in one of its
17 designated departmental or divisional fellowship programs provided that
18 the applicant shall have graduated from a recognized medical school and
19 has been granted a license or other appropriate certificate to practice
20 medicine in the location of the applicant's origin. Such license shall
21 permit the holder only to practice medicine within the confines of the
22 fellowship program to which he or she has been appointed and, upon the
23 request of the applicant and the sponsoring institution, the license
24 may be renewed by the commission for no more than a total of two years.

25 All persons licensed under this section shall be subject to the
26 jurisdiction of the commission to the same extent as other members of
27 the medical profession, in accordance with this chapter and chapter
28 18.130 RCW.

29 Persons applying for licensure and renewing licenses pursuant to
30 this section shall ~~((pay an application fee))~~ comply with
31 administrative procedures, administrative requirements, and fees
32 determined by the secretary as provided in RCW 43.70.250 ~~((and, in the~~
33 ~~event the license applied for is issued, a license fee at the rate~~
34 ~~provided for renewals of licenses generally. Licenses issued hereunder~~
35 ~~may be renewed annually pursuant to the provisions of RCW 18.71.080))~~
36 and 43.70.280. Any person who obtains a limited license pursuant to
37 this section may~~((, without an additional application fee,))~~ apply for
38 licensure under this chapter, but shall submit a new application form
39 and comply with all other licensing requirements of this chapter.

1 **Sec. 55.** RCW 18.71.205 and 1995 c 65 s 3 are each amended to read
2 as follows:

3 (1) The secretary of the department of health, in conjunction with
4 the advice and assistance of the emergency medical services licensing
5 and certification advisory committee as prescribed in RCW 18.73.050,
6 and the commission, shall prescribe:

7 (a) Practice parameters, training standards for, and levels of,
8 physician trained emergency medical service intermediate life support
9 technicians and paramedics;

10 (b) Minimum standards and performance requirements for the
11 certification and recertification of physician's trained emergency
12 medical service intermediate life support technicians and paramedics;
13 and

14 (c) Procedures for certification, recertification, and
15 decertification of physician's trained emergency medical service
16 intermediate life support technicians and paramedics.

17 (2) Initial certification shall be for a period (~~of three years~~)
18 established by the secretary pursuant to RCW 43.70.250 and 43.70.280.

19 (3) Recertification shall be granted upon proof of continuing
20 satisfactory performance and education, and shall be for a period (~~of~~
21 ~~three years~~) established by the secretary pursuant to RCW 43.70.250
22 and 43.70.280.

23 (4) As used in chapters 18.71 and 18.73 RCW, "approved medical
24 program director" means a person who:

25 (a) Is licensed to practice medicine and surgery pursuant to
26 chapter 18.71 RCW or osteopathy and surgery pursuant to chapter 18.57
27 RCW; and

28 (b) Is qualified and knowledgeable in the administration and
29 management of emergency care and services; and

30 (c) Is so certified by the department of health for a county, group
31 of counties, or cities with populations over four hundred thousand in
32 coordination with the recommendations of the local medical community
33 and local emergency medical services and trauma care council.

34 (5) The Uniform Disciplinary Act, chapter 18.130 RCW, governs
35 uncertified practice, the issuance and denial of certificates, and the
36 disciplining of certificate holders under this section. The secretary
37 shall be the disciplining authority under this section. Disciplinary
38 action shall be initiated against a person credentialed under this

1 chapter in a manner consistent with the responsibilities and duties of
2 the medical program director under whom such person is responsible.

3 (6) Such activities of (~~physician[']s~~) physician's trained
4 emergency medical service intermediate life support technicians and
5 paramedics shall be limited to actions taken under the express written
6 or oral order of medical program directors and shall not be construed
7 at any time to include free standing or nondirected actions, for
8 actions not presenting an emergency or life-threatening condition.

9 **Sec. 56.** RCW 18.71.400 and 1993 c 367 s 18 are each amended to
10 read as follows:

11 There is hereby levied to be collected by the department of health
12 from every physician and surgeon licensed pursuant to chapter 18.71 RCW
13 and every physician assistant licensed pursuant to chapter 18.71A RCW
14 (~~an annual~~) a medical disciplinary assessment equal to the license
15 renewal fee established by the secretary under RCW 43.70.250 and
16 43.70.280. The assessment levied pursuant to this section is in
17 addition to any license renewal fee (~~established under RCW~~
18 ~~43.70.250~~)).

19 **Sec. 57.** RCW 18.71A.020 and 1994 sp.s. c 9 s 319 are each amended
20 to read as follows:

21 (1) The commission shall adopt rules fixing the qualifications and
22 the educational and training requirements for licensure as a physician
23 assistant or for those enrolled in any physician assistant training
24 program. The requirements shall include completion of an accredited
25 physician assistant training program approved by the commission and
26 eligibility to take an examination approved by the commission, if the
27 examination tests subjects substantially equivalent to the curriculum
28 of an accredited physician assistant training program. Physician
29 assistants licensed by the board of medical examiners as of June 7,
30 1990, shall continue to be licensed.

31 (2)(a) The commission shall adopt rules governing the extent to
32 which:

33 (i) Physician assistant students may practice medicine during
34 training; and

35 (ii) Physician assistants may practice after successful completion
36 of a physician assistant training course.

37 (b) Such rules shall provide:

1 (i) That the practice of a physician assistant shall be limited to
2 the performance of those services for which he or she is trained; and

3 (ii) That each physician assistant shall practice medicine only
4 under the supervision and control of a physician licensed in this
5 state, but such supervision and control shall not be construed to
6 necessarily require the personal presence of the supervising physician
7 or physicians at the place where services are rendered.

8 (3) Applicants for licensure shall file an application with the
9 commission on a form prepared by the secretary with the approval of the
10 commission, detailing the education, training, and experience of the
11 physician assistant and such other information as the commission may
12 require. The application shall be accompanied by a fee determined by
13 the secretary as provided in RCW 43.70.250 and 43.70.280. Each
14 applicant shall furnish proof satisfactory to the commission of the
15 following:

16 (a) That the applicant has completed an accredited physician
17 assistant program approved by the commission and is eligible to take
18 the examination approved by the commission;

19 (b) That the applicant is of good moral character; and

20 (c) That the applicant is physically and mentally capable of
21 practicing medicine as a physician assistant with reasonable skill and
22 safety. The commission may require an applicant to submit to such
23 examination or examinations as it deems necessary to determine an
24 applicant's physical or mental capability, or both, to safely practice
25 as a physician assistant.

26 (4) The commission may approve, deny, or take other disciplinary
27 action upon the application for license as provided in the Uniform
28 Disciplinary Act, chapter 18.130 RCW. The license shall be renewed
29 ~~((on a periodic basis as determined by the secretary under RCW~~
30 ~~43.70.280, upon payment of a fee determined by the secretary as~~
31 ~~provided in RCW 43.70.250, and submission of a completed renewal~~
32 ~~application, in addition to any late renewal penalty fees as determined~~
33 ~~by the secretary as provided in RCW 43.70.250)) as determined by the~~
34 secretary under RCW 43.70.250 and 43.70.280. The commission may
35 authorize the use of alternative supervisors who are licensed either
36 under chapter 18.57 or 18.71 RCW.

37 **Sec. 58.** RCW 18.71A.040 and 1994 sp.s. c 9 s 321 are each amended
38 to read as follows:

1 (1) No physician assistant practicing in this state shall be
2 employed or supervised by a physician or physician group without the
3 approval of the commission.

4 (2) Prior to commencing practice, a physician assistant licensed in
5 this state shall apply to the commission for permission to be employed
6 or supervised by a physician or physician group. The practice
7 arrangement plan shall be jointly submitted by the physician or
8 physician group and physician assistant. The secretary (~~((may charge a
9 fee as provided in RCW 43.70.250 to recover the cost for the plan
10 review))~~) shall establish administrative procedures, administrative
11 requirements, and fees as provided in RCW 43.70.250 and 43.70.280. The
12 practice arrangement plan shall delineate the manner and extent to
13 which the physician assistant would practice and be supervised.
14 Whenever a physician assistant is practicing in a manner inconsistent
15 with the approved practice arrangement plan, the (~~(medical disciplinary
16 board [commission])~~) commission may take disciplinary action under
17 chapter 18.130 RCW.

18 **Sec. 59.** RCW 18.74.050 and 1991 c 3 s 178 are each amended to read
19 as follows:

20 The secretary shall furnish a license upon the authority of the
21 board to any person who applies and who has qualified under the
22 provisions of this chapter. At the time of applying, the applicant
23 shall (~~((pay to the state treasurer a fee determined by the secretary as
24 provided in RCW 43.70.250))~~) comply with administrative procedures,
25 administrative requirements, and fees established by the secretary
26 pursuant to RCW 43.70.250 and 43.70.280. No person registered or
27 licensed on July 24, 1983, as a physical therapist shall be required to
28 pay an additional fee for a license under this chapter.

29 **Sec. 60.** RCW 18.74.060 and 1991 c 3 s 179 are each amended to read
30 as follows:

31 Upon the recommendation of the board, the secretary shall license
32 as a physical therapist and shall furnish a license to any person who
33 is a physical therapist registered or licensed under the laws of
34 another state or territory, or the District of Columbia, if the
35 qualifications for such registration or license required of the
36 applicant were substantially equal to the requirements under this
37 chapter. At the time of making application, the applicant shall (~~((pay~~

1 to the state treasurer a fee determined by the secretary as provided in
2 RCW 43.70.250)) comply with administrative procedures, administrative
3 requirements, and fees established by the secretary pursuant to RCW
4 43.70.250 and 43.70.280.

5 **Sec. 61.** RCW 18.74.070 and 1991 c 3 s 180 are each amended to read
6 as follows:

7 Every licensed physical therapist shall apply to the secretary for
8 a renewal of the license and pay to the state treasurer a fee
9 determined by the secretary as provided in RCW 43.70.250 and 43.70.280.
10 (~~The license of a physical therapist who fails to renew the license~~
11 ~~within thirty days of the date set by the secretary for renewal shall~~
12 ~~automatically lapse. Within three years from the date of lapse and~~
13 ~~upon the recommendation of the board, the secretary may revive a lapsed~~
14 ~~license upon the payment of all past unpaid renewal fees and a penalty~~
15 ~~fee to be determined by the secretary. The board may require~~
16 ~~reexamination of an applicant whose license has lapsed for more than~~
17 ~~three years and who has not continuously engaged in lawful practice in~~
18 ~~another state or territory, or waive reexamination in favor of evidence~~
19 ~~of continuing education satisfactory to the board.))~~)

20 **Sec. 62.** RCW 18.79.200 and 1994 sp.s. c 9 s 420 are each amended
21 to read as follows:

22 An applicant for a license to practice as a registered nurse,
23 advanced registered nurse practitioner, or licensed practical nurse
24 shall comply with administrative procedures, administrative
25 requirements, and ((pay a fee)) fees as determined by the secretary
26 under RCW 43.70.250 (~~to the state treasurer~~) and 43.70.280.

27 **Sec. 63.** RCW 18.79.210 and 1994 sp.s. c 9 s 421 are each amended
28 to read as follows:

29 A license issued under this chapter(~~, whether in an active or~~
30 ~~inactive status,~~) must be renewed, except as provided in this chapter.
31 The licensee shall (~~send the renewal form to the department with a~~
32 ~~renewal fee,~~) comply with administrative procedures, administrative
33 requirements, and fees as determined by the secretary under RCW
34 43.70.250(~~, before the expiration date. Upon receipt of the renewal~~
35 ~~form and the appropriate fee, the department shall issue the licensee~~
36 ~~a license, which declares the holder to be a legal practitioner of~~

1 registered nursing, advanced registered nursing practice, or licensed
2 practical nursing, as appropriate, in either active or inactive status,
3 for the period of time stated on the license)) and 43.70.280.

4 **Sec. 64.** RCW 18.83.060 and 1991 c 3 s 197 are each amended to read
5 as follows:

6 ((Each applicant for a license shall file with the secretary an
7 application duly verified, in such form and setting forth such
8 information as the board shall prescribe. An application fee
9 determined by the secretary as provided in RCW 43.70.250 shall
10 accompany each application)) The secretary shall establish
11 administrative procedures, administrative requirements, and fees for
12 applications and examinations as provided in RCW 43.70.250 and
13 43.70.280.

14 **Sec. 65.** RCW 18.83.072 and 1995 c 198 s 12 are each amended to
15 read as follows:

16 (1) Examination of applicants shall be held in Olympia, Washington,
17 or at such other place as designated by the secretary, at least
18 annually at such times as the board may determine.

19 (2) Any applicant shall have the right to discuss with the board
20 his or her performance on the examination.

21 (3) Any applicant who fails to make a passing grade on the
22 examination may be allowed to retake the examination. Any applicant
23 who fails the examination a second time must obtain special permission
24 from the board to take the examination again.

25 (4) ~~((The reexamination fee shall be the same as the application~~
26 ~~fee set forth in RCW 18.83.060.~~

27 ~~(5))~~) The board may approve an examination prepared or administered
28 by a private testing agency or association of licensing authorities.

29 **Sec. 66.** RCW 18.83.080 and 1991 c 3 s 199 are each amended to read
30 as follows:

31 ~~((Upon forwarding to the secretary by))~~ The board ~~((of))~~ shall
32 forward to the secretary the name of each applicant entitled to a
33 license under this chapter~~((7)).~~ The secretary shall promptly issue to
34 such applicant a license authorizing such applicant to use the title
35 "psychologist" ~~((for a period of one year. Said license shall be in~~
36 ~~such form as the secretary shall determine))~~. Each licensed

1 psychologist shall keep his or her license displayed in a conspicuous
2 place in his or her principal place of business.

3 **Sec. 67.** RCW 18.83.082 and 1984 c 279 s 82 are each amended to
4 read as follows:

5 ~~((1) A valid receipt for an initial application for license~~
6 ~~hereunder, provided the applicant meets the requirements of RCW~~
7 ~~18.83.070 (1), (2), and (3), shall constitute a temporary permit to~~
8 ~~practice psychology until the board completes action on the~~
9 ~~application. The board must complete action within one year of the~~
10 ~~date such receipt is issued.~~

11 (2)) A person, not licensed in this state, who wishes to perform
12 practices under the provisions of this chapter for a period not to
13 exceed ninety days within a calendar year, must petition the board for
14 a temporary permit to perform such practices. If the person is
15 licensed or certified in another state deemed by the board to have
16 standards equivalent to this chapter, a permit may be issued. No fee
17 shall be charged for such temporary permit.

18 **Sec. 68.** RCW 18.83.090 and 1991 c 3 s 200 are each amended to read
19 as follows:

20 The board shall establish rules governing mandatory continuing
21 education requirements which shall be met by any psychologist applying
22 for a license renewal. ~~((Each licensed psychologist shall pay to the~~
23 ~~health professions account, created in RCW 43.70.320, annually, at such~~
24 ~~time as determined by the board, an annual license renewal fee~~
25 ~~determined by the secretary under RCW 43.70.250. Upon receipt of the~~
26 ~~fee, the secretary shall issue a certificate of renewal in such form as~~
27 ~~the secretary shall determine)) The secretary shall determine
28 administrative procedures, administrative requirements, and fees for
29 renewal and reissue of licenses as provided in RCW 43.70.250 and
30 43.70.280.~~

31 **Sec. 69.** RCW 18.83.105 and 1991 c 3 s 201 are each amended to read
32 as follows:

33 The board may issue certificates of qualification with appropriate
34 title to applicants who meet all the licensing requirements except the
35 possession of the degree of Doctor of Philosophy or its equivalent in
36 psychology from an accredited educational institution. These

1 certificates of qualification certify that the holder has been examined
2 by the board and is deemed competent to perform certain functions
3 within the practice of psychology under the periodic direct supervision
4 of a psychologist licensed by the board. Such functions will be
5 specified on the certificate issued by the board. Such applicant shall
6 (~~pay to the board of examiners a fee determined by the secretary as~~
7 ~~provided in RCW 43.70.250 for certification in a single area of~~
8 ~~qualification and a fee for amendment of the certificate to include~~
9 ~~each additional area of qualification~~) comply with administrative
10 procedures, administrative requirements, and fees determined by the
11 secretary under RCW 43.70.250 and 43.70.280. Upon petition by a holder
12 the board of examiners may grant authority to function without
13 immediate supervision.

14 **Sec. 70.** RCW 18.83.170 and 1991 c 3 s 202 are each amended to read
15 as follows:

16 Upon (~~application accompanied by a fee determined by the secretary~~
17 ~~as provided in RCW 43.70.250~~) compliance with administrative
18 procedures, administrative requirements, and fees determined by the
19 secretary under RCW 43.70.250 and 43.70.280, the board may grant a
20 license, without written examination, to any applicant who has not
21 previously failed any examination held by the board of psychology of
22 the state of Washington and furnishes evidence satisfactory to the
23 board that the applicant:

24 (1) Holds a doctoral degree with primary emphasis on psychology
25 from an accredited college or university; and

26 (2) Is licensed or certified to practice psychology in another
27 state or country in which the requirements for such licensing or
28 certification are, in the judgment of the board, essentially equivalent
29 to those required by this chapter and the rules and regulations of the
30 board. Such individuals must have been licensed or certified in
31 another state for a period of at least two years; or

32 (3) Is a diplomate in good standing of the American Board of
33 Examiners in Professional Psychology.

34 **Sec. 71.** RCW 18.84.100 and 1991 c 3 s 211 are each amended to read
35 as follows:

36 Applications for certification must be submitted on forms provided
37 by the secretary. The secretary may require any information and

1 documentation that reasonably relates to the determination of whether
2 the applicant meets the requirements for certification provided for in
3 this chapter and chapter 18.130 RCW. Each applicant shall ~~((pay a~~
4 ~~fee))~~ comply with administrative procedures, administrative
5 requirements, and fees determined by the secretary as provided in RCW
6 43.70.250 ~~((which shall accompany the application))~~ and 43.70.280.

7 **Sec. 72.** RCW 18.84.110 and 1994 sp.s. c 9 s 509 are each amended
8 to read as follows:

9 The secretary shall establish ~~((by rule))~~ the administrative
10 procedures, administrative requirements, and fees for renewal of
11 certificates as provided in RCW 43.70.250 and 43.70.280. ~~((Failure to~~
12 ~~renew invalidates the certificate and all privileges granted by the~~
13 ~~certificate. In the event a certificate has lapsed for a period longer~~
14 ~~than three years, the certificant shall demonstrate competence to the~~
15 ~~satisfaction of the secretary by continuing education or under the~~
16 ~~other standards determined by the secretary.))~~

17 **Sec. 73.** RCW 18.84.120 and 1991 c 222 s 4 are each amended to read
18 as follows:

19 The secretary may issue a registration to an applicant who submits,
20 on forms provided by the department, the applicant's name, the address,
21 occupational title, name and location of business where applicant
22 performs his or her services, and other information as determined by
23 the secretary, including information necessary to determine whether
24 there are grounds for denial of registration under this chapter or
25 chapter 18.130 RCW. Each applicant shall pay a fee as determined by
26 the secretary as provided in RCW 43.70.250 and 43.70.280. The
27 secretary shall establish ~~((by rule))~~ the ~~((procedural))~~ administrative
28 procedures, administrative requirements, and fees for registration and
29 for renewal of registrations as provided in RCW 43.70.250 and
30 43.70.280.

31 **Sec. 74.** RCW 18.88A.120 and 1991 c 16 s 14 are each amended to
32 read as follows:

33 Applications for registration and certification shall be submitted
34 on forms provided by the secretary. The secretary may require any
35 information and documentation that reasonably relates to the need to
36 determine whether the applicant meets the criteria for registration and

1 certification credentialing provided for in this chapter and chapter
2 (~~(18.120)~~) 18.130 RCW. Each applicant shall (~~(pay a fee determined by~~
3 ~~the secretary under RCW 43.70.250.~~ The fee shall accompany the
4 application)) comply with administrative procedures, administrative
5 requirements, and fees determined by the secretary under RCW 43.70.250
6 and 43.70.280.

7 **Sec. 75.** RCW 18.88A.130 and 1994 sp.s. c 9 s 715 are each amended
8 to read as follows:

9 (~~(The secretary shall establish by rule the procedural requirements~~
10 ~~and fees for renewal of a registration or certificate. Failure to~~
11 ~~renew shall invalidate the credential and all privileges granted by the~~
12 ~~credential. If a certificate has lapsed for a period longer than three~~
13 ~~years, the person shall demonstrate competence to the satisfaction of~~
14 ~~the commission by taking continuing education courses, or meeting other~~
15 ~~standards determined by the commission)) Registrations and
16 certifications shall be renewed according to administrative procedures,
17 administrative requirements, and fees determined by the secretary under
18 RCW 43.70.250 and 43.70.280.~~

19 **Sec. 76.** RCW 18.89.110 and 1991 c 3 s 234 are each amended to read
20 as follows:

21 (1) The date and location of the examination shall be established
22 by the secretary. Applicants who have been found by the secretary to
23 meet the other requirements for certification shall be scheduled for
24 the next examination following the filing of the application. However,
25 the applicant shall not be scheduled for any examination taking place
26 sooner than sixty days after the application is filed.

27 (2) The secretary shall examine each applicant, by means determined
28 most effective, on subjects appropriate to the scope of practice. Such
29 examinations shall be limited to the purpose of determining whether the
30 applicant possesses the minimum skill and knowledge necessary to
31 practice competently, and shall meet generally accepted standards of
32 fairness and validity for certification examinations.

33 (3) All examinations shall be conducted by the secretary, and all
34 grading of the examinations shall be under fair and wholly impartial
35 methods.

36 (4) Any applicant who fails to make the required grade in the first
37 examination is entitled to take up to three subsequent examinations,

1 upon (~~the prepayment of a fee determined by the secretary as provided~~
2 ~~in RCW 43.70.250 for each subsequent examination. Upon failure of four~~
3 ~~examinations, the secretary may invalidate the original application~~)
4 compliance with administrative procedures, administrative requirements,
5 and fees determined by the secretary under RCW 43.70.250 and 43.70.280
6 and (~~require~~) such remedial education as is deemed necessary.

7 (5) The secretary may approve an examination prepared and
8 administered by a private testing agency or association of
9 credentialing boards for use by an applicant in meeting the
10 certification requirement.

11 **Sec. 77.** RCW 18.89.120 and 1991 c 3 s 235 are each amended to read
12 as follows:

13 Applications for certification shall be submitted on forms provided
14 by the secretary. The secretary may require any information and
15 documentation which reasonably relates to the need to determine whether
16 the applicant meets the criteria for certification provided in this
17 chapter and chapter 18.130 RCW. All (~~applications~~) applicants shall
18 (~~be accompanied by a fee~~) comply with administrative procedures,
19 administrative requirements, and fees determined by the secretary under
20 RCW 43.70.250 and 43.70.280.

21 **Sec. 78.** RCW 18.89.140 and 1991 c 3 s 237 are each amended to read
22 as follows:

23 (~~The secretary shall establish by rule the requirements and fees~~
24 ~~for renewal of certificates. Failure to renew shall invalidate the~~
25 ~~certificate and all privileges granted by the certificate. In the~~
26 ~~event a certificate has lapsed for a period longer than three years,~~
27 ~~the certified respiratory care practitioner shall demonstrate~~
28 ~~competence to the satisfaction of the secretary by continuing education~~
29 ~~or under the other standards determined by the secretary)) Certificates
30 shall be renewed according to administrative procedures, administrative
31 requirements , and fees determined by the secretary under RCW 43.70.250
32 and 43.70.280.~~

33 **Sec. 79.** RCW 18.92.140 and 1993 c 78 s 6 are each amended to read
34 as follows:

35 Each person now qualified to practice veterinary medicine, surgery,
36 and dentistry, registered as an animal technician, or registered as a

1 veterinary medication clerk in this state or who becomes licensed or
2 registered to engage in practice shall (~~register with the secretary of~~
3 ~~health annually or on the date prescribed by the secretary and pay the~~
4 ~~renewal registration fee set by the secretary as provided in RCW~~
5 ~~43.70.250. A person who fails to renew a license or certificate before~~
6 ~~its expiration is subject to a late renewal fee equal to one third of~~
7 ~~the regular renewal fee set by the secretary)) comply with
8 administrative procedures, administrative requirements, and fees
9 determined by the secretary as provided in RCW 43.70.250 and 43.70.280.~~

10 **Sec. 80.** RCW 18.92.145 and 1993 c 78 s 7 are each amended to read
11 as follows:

12 The secretary shall determine the administrative procedures,
13 administrative requirements, and fees, as provided in RCW 43.70.250 and
14 43.70.280, for the issuance, renewal, or administration of the
15 following licenses, certificates of registration, permits, duplicate
16 licenses, renewals, or examination:

17 (1) For a license to practice veterinary medicine, surgery, and
18 dentistry issued upon an examination given by the examining board;

19 (2) For a license to practice veterinary medicine, surgery, and
20 dentistry issued upon the basis of a license issued in another state;

21 (3) For a certificate of registration as an animal technician;

22 (4) For a certificate of registration as a veterinary medication
23 clerk;

24 (5) For a temporary permit to practice veterinary medicine,
25 surgery, and dentistry. The temporary permit fee shall be accompanied
26 by the full amount of the examination fee; and

27 (6) For a license to practice specialized veterinary medicine.

28 **Sec. 81.** RCW 18.108.060 and 1991 c 3 s 256 are each amended to
29 read as follows:

30 (~~All licenses issued under the provisions of this chapter, unless~~
31 ~~otherwise provided shall expire on the annual anniversary date of the~~
32 ~~individual's date of birth.~~

33 The ~~secretary shall prorate the licensing fee for massage~~
34 ~~practitioner based on one twelfth of the annual license fee for each~~
35 ~~full calendar month between the issue date and the next anniversary of~~
36 ~~the applicant's birth date, a date used as the expiration date of such~~
37 ~~license.~~

1 Every applicant for a license shall pay an examination fee
2 determined by the secretary as provided in RCW 43.70.250, which fee
3 shall accompany their application. Applications for licensure shall be
4 submitted on forms provided by the secretary.

5 Applicants granted a license under this chapter shall pay to the
6 secretary a license fee determined by the secretary as provided in RCW
7 43.70.250, prior to the issuance of their license, and an annual
8 renewal fee determined by the secretary as provided in RCW 43.70.250.
9 Failure to renew shall invalidate the license and all privileges
10 granted to the licensee, but such license may be reinstated upon
11 written application to the secretary and payment to the state of all
12 delinquent fees and penalties as determined by the secretary. In the
13 event a license has lapsed for a period longer than three years, the
14 licensee shall demonstrate competence to the satisfaction of the
15 secretary by proof of continuing education or other standard determined
16 by the secretary with the advice of the board)) Each applicant and
17 license holder shall comply with administrative procedures,
18 administrative requirements, and fees set by the secretary under RCW
19 43.70.250 and 43.70.280.

20 **Sec. 82.** RCW 18.135.050 and 1991 c 3 s 274 are each amended to
21 read as follows:

22 (1) Any health care facility may certify a health care assistant to
23 perform the functions authorized in this chapter in that health care
24 facility; and any health care practitioner may certify a health care
25 assistant capable of performing such services in any health care
26 facility, or in his or her office, under a health care practitioner's
27 supervision. Before certifying the health care assistant, the health
28 care facility or health care practitioner shall verify that the health
29 care assistant has met the minimum requirements established by the
30 secretary under this chapter. These requirements shall not prevent the
31 certifying entity from imposing such additional standards as the
32 certifying entity considers appropriate. The health care facility or
33 health care practitioner shall provide the licensing authority with a
34 certified roster of health care assistants who are certified.

35 (2) Certification and recertification of a health care assistant
36 shall be effective for a period ((of two years. Recertification is
37 required at the end of this period)) determined by the secretary under
38 RCW 43.70.250 and 43.70.280. Requirements for recertification shall be

1 ((established by rule)) determined by the secretary under RCW 43.70.250
2 and 43.70.280.

3 **Sec. 83.** RCW 18.135.055 and 1991 c 3 s 275 are each amended to
4 read as follows:

5 The health care facility or health care practitioner registering an
6 initial or continuing certification pursuant to the provisions of this
7 chapter shall ~~((pay a))~~ comply with administrative procedures,
8 administrative requirements, and fees determined by the secretary as
9 provided in RCW 43.70.250 and 43.70.280.

10 All fees collected under this section shall be credited to the
11 health professions account as required in RCW 43.70.320.

12 **Sec. 84.** RCW 18.138.040 and 1991 c 3 s 281 are each amended to
13 read as follows:

14 (1) If the applicant meets the qualifications as outlined in RCW
15 18.138.030(2), the secretary shall confer on such candidates the title
16 certified dietitian.

17 (2) If the applicant meets the qualifications as outlined in RCW
18 18.138.030(4), the secretary shall confer on such candidates the title
19 certified nutritionist.

20 (3) ~~((The application fee in an amount determined by the secretary~~
21 ~~shall accompany the application))~~ Applicants for certification as a
22 certified dietitian or certified nutritionist shall comply with
23 administrative procedures, administrative requirements, and fees
24 determined by the secretary under RCW 43.70.250 and 43.70.280.

25 **Sec. 85.** RCW 18.138.060 and 1991 c 3 s 283 are each amended to
26 read as follows:

27 (1) Every person certified as a certified dietitian or certified
28 nutritionist shall ~~((pay a renewal registration fee determined by the~~
29 ~~secretary as provided in RCW 43.70.250. The certificate of the person~~
30 ~~shall be renewed for a period of one year or longer at the discretion~~
31 ~~of the secretary))~~ renew the certification according to administrative
32 procedures, administrative requirements, and fees determined by the
33 secretary as provided in RCW 43.70.250 and 43.70.280.

34 (2) ~~((Any failure to register and pay the annual renewal~~
35 ~~registration fee shall render the certificate invalid. The certificate~~
36 ~~shall be reinstated upon: (a) Written application to the secretary;~~

1 ~~(b) payment to the state of a penalty fee determined by the secretary;~~
2 ~~and (c) payment to the state of all delinquent annual certificate~~
3 ~~renewal fees.~~

4 ~~(3) Any person who fails to renew his or her certification for a~~
5 ~~period of three years shall not be entitled to renew such certification~~
6 ~~under this section. Such person, in order to obtain a certification as~~
7 ~~a certified dietitian or certified nutritionist in this state, shall~~
8 ~~file a new application under this chapter, along with the required fee,~~
9 ~~and shall meet all requirements as the secretary provides.~~

10 ~~(4)) All fees collected under this section shall be credited to~~
11 ~~the health professions account as required.~~

12 **Sec. 86.** RCW 18.155.040 and 1990 c 3 s 804 are each amended to
13 read as follows:

14 In addition to any other authority provided by law, the secretary
15 shall have the following authority:

16 (1) To set ~~((all))~~ administrative procedures, administrative
17 requirements, and fees ~~((required in this chapter))~~ in accordance with
18 RCW 43.70.250 and 43.70.280;

19 (2) To establish forms necessary to administer this chapter;

20 (3) To issue a certificate to any applicant who has met the
21 education, training, and examination requirements for certification and
22 deny a certificate to applicants who do not meet the minimum
23 qualifications for certification. Proceedings concerning the denial of
24 certificates based on unprofessional conduct or impaired practice shall
25 be governed by the uniform disciplinary act, chapter 18.130 RCW;

26 (4) To hire clerical, administrative, and investigative staff as
27 needed to implement and administer this chapter and to hire individuals
28 including those certified under this chapter to serve as examiners or
29 consultants as necessary to implement and administer this chapter;

30 (5) To maintain the official department record of all applicants
31 and certifications;

32 (6) To conduct a hearing on an appeal of a denial of a certificate
33 on the applicant's failure to meet the minimum qualifications for
34 certification. The hearing shall be conducted pursuant to chapter
35 34.05 RCW;

36 (7) To issue subpoenas, statements of charges, statements of intent
37 to deny certificates, and orders and to delegate in writing to a

1 designee the authority to issue subpoenas, statements of charges, and
2 statements of intent to deny certificates;

3 (8) To determine the minimum education, work experience, and
4 training requirements for certification, including but not limited to
5 approval of educational programs;

6 (9) To prepare and administer or approve the preparation and
7 administration of examinations for certification;

8 (10) To establish by rule the procedure for appeal of an
9 examination failure;

10 (11) To adopt rules implementing a continuing competency program;

11 (12) To adopt rules in accordance with chapter 34.05 RCW as
12 necessary to implement this chapter.

13 **Sec. 87.** RCW 18.155.080 and 1990 c 3 s 808 are each amended to
14 read as follows:

15 The secretary shall establish (~~by rule~~) standards and procedures
16 for approval of the following:

17 (1) Educational programs and alternate training;

18 (2) Examination procedures;

19 (3) Certifying applicants who have a comparable certification in
20 another jurisdiction;

21 (4) Application method and forms;

22 (5) Requirements for renewals of certificates;

23 (6) Requirements of certified sex offender treatment providers who
24 seek inactive status;

25 (7) Other rules, policies, administrative procedures, and
26 administrative requirements as appropriate to carry out the purposes of
27 this chapter.

28 NEW SECTION. **Sec. 88.** The following acts or parts of acts are
29 each repealed:

30 (1) RCW 18.30.110 and 1995 c 198 s 22 & 1995 c 1 s 12 (Initiative
31 Measure No. 607);

32 (2) RCW 18.32.120 and 1994 sp.s. c 9 s 214, 1991 c 3 s 64, 1989 c
33 202 s 20, 1985 c 7 s 24, 1975 1st ex.s. c 30 s 28, 1969 c 49 s 2, 1957
34 c 52 s 30, & 1953 c 93 s 5;

35 (3) RCW 18.53.055 and 1955 c 275 s 2;

36 (4) RCW 18.64A.065 and 1991 c 229 s 10;

37 (5) RCW 18.79.220 and 1994 sp.s. c 9 s 422; and

1 (6) RCW 18.83.100 and 1994 c 35 s 3, 1986 c 27 s 5, 1965 c 70 s 10,
2 & 1955 c 305 s 10.

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