

# HOUSE BILL REPORT

## SB 6356

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### As Reported by House Committee On:

Commerce & Labor

**Title:** An act relating to physician assistants executing a certain certificate for labor and industries.

**Brief Description:** Modifying physician assistant provisions.

**Sponsors:** Senators Honeyford and Rasmussen.

### Brief History:

#### Committee Activity:

Commerce & Labor: 2/23/04, 2/26/04 [DPA].

#### Brief Summary of Bill (As Amended by House Committee)

- Authorizes physician assistants to assist workers who are filing claims for simple industrial injuries in applying for compensation until July 1, 2007.
- Requires the Department of Labor and Industries to report to the Legislature on the implementation of this act.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass as amended. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; McMorris, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Crouse, Holmquist, Kenney and McCoy.

**Staff:** Jill Reinmuth (786-7134).

### Background:

A worker who, in the course of employment, is injured or suffers disability from an occupational disease is entitled to benefits under Washington's industrial insurance law. These benefits include proper and necessary medical and surgical services from a physician of the worker's choice. Benefits solely for medical treatment are considered "non-compensable," while benefits for time loss, permanent injury, or death are considered "compensable."

To qualify for benefits, an injured worker is required to file an application for benefits with the Department of Labor and Industries (Department) or his or her self-insured employer. The application must be accompanied by a certificate of the attending physician. Department rules specify that the injured worker and attending physician must file a report of accident upon the determination that the injury or disability is work-related. The report must include the signed findings of the attending physician.

Physician assistants (PAs) are licensed to practice medicine or osteopathic medicine to a limited extent under the supervision of a licensed physician or osteopathic physician respectively. Department rules require PAs to obtain advanced approval from the Department prior to treating industrial injury cases. The rules also limit the industrial insurance services that PAs may provide. PAs may fill out accident and other reports, but the reports must be signed by a physician.

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**Summary of Amended Bill:**

Physician assistants (PAs) practicing with physician supervision are authorized to assist workers who are filing claims for simple industrial injuries in applying for compensation. Physician assistants may not rate permanent partial disabilities, or determine entitlement to permanent or temporary total disability benefits, death benefits, and other similar benefits. The authority to assist workers in applying for compensation expires June 30, 2007.

The Department of Labor and Industries (Department) is required to adopt necessary rules, and report on the implementation of these provisions, including the effects on injured worker outcomes, claim costs, and disputed claims. The Department must report its findings to the Senate Commerce and Trade Committee and the House Commerce and Labor Committee by December 1, 2006.

**Amended Bill Compared to Original Bill:**

A section is rewritten to clarify that physician assistants are authorized to assist workers who are filing claims for simple industrial injuries, but not for occupational diseases or for industrial injuries that involve payment of time loss compensation or pensions. A sentence is added to require the Department of Labor and Industries to adopt necessary rules.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect July 1, 2004.

**Testimony For:** This bill is the same as the bill that passed the House last year. It would authorize physician assistants to sign industrial insurance forms that pertain to the patients that physician assistants are already authorized to treat. Because we cannot send in the forms, they may sit for two or more weeks. We would like to see the expiration date in the bill extended. The bill creates a three-year program for physician assistants, which is consistent with the three-year program for advanced registered nurse practitioners.

(Information only) The Department of Labor and Industries is working on an amendment. The intent of the amendment is not to change the bill, but to use more current language.

**Testimony Against:** None.

**Persons Testifying:** (In support) Linda Dale, Washington State Academy of Physician Assistants; and Amber Balch Carter, Association of Washington Business.

(Information only) Vickie Kennedy, Department of Labor and Industries.

**Persons Signed In To Testify But Not Testifying:** None.