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SENATE BILL 5525

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State of Washington

63rd Legislature

2013 Regular Session

By Senator Keiser

Read first time 02/01/13. Referred to Committee on Health Care .

1 AN ACT Relating to medical specialty technicians; adding a new  
2 chapter to Title 18 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that medical specialty  
5 technicians are health professionals specifically trained to assist  
6 physicians specialized in various areas of medicine in medical offices,  
7 clinics, group practices, and hospitals. These personnel are trained  
8 in various ways to perform patient care functions that are often unique  
9 to the specialty of the supervising physician and often do not fit  
10 within the scope of practice of other certified or registered medical  
11 assistive personnel. Medical specialty technicians play a vital role  
12 in the delivery of safe, efficient, and cost-effective health care in  
13 Washington. Health care in Washington will be improved by recognizing  
14 the valuable contribution of medical specialty technicians and  
15 providing statutory support for medical specialty technicians in  
16 Washington state.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply  
18 throughout this chapter unless the context clearly requires otherwise.

1 (1) "Delegation" means direct authorization granted by a licensed  
2 health care provider to a medical specialty technician to perform  
3 functions that the medical specialty technician has been trained to  
4 perform and is competent to perform, and that fall within the scope of  
5 practice of the health care provider.

6 (2) "Department" means the department of health.

7 (3) "Health care provider" means:

8 (a) A physician licensed under chapter 18.71 RCW; or

9 (b) An osteopathic physician or surgeon licensed under chapter  
10 18.57 RCW.

11 (4) "Medical specialty technician" means an unlicensed person: Who  
12 has been trained to perform specific patient care functions in a course  
13 of training or by a health care provider in a medical specialty  
14 including, but not limited to, ophthalmology, urology, and  
15 anesthesiology; whose competence to perform those functions has been  
16 endorsed by a health care provider in an attestation to the secretary;  
17 and who is under the supervision of a health care provider.

18 (5) "Secretary" means the secretary of the department of health.

19 (6) "Supervision" means supervision of procedures permitted  
20 pursuant to this chapter by a health care provider who is physically  
21 present and immediately available in the facility.

22 NEW SECTION. **Sec. 3.** No person may practice as a medical  
23 specialty technician unless he or she is registered under section 6 of  
24 this act.

25 NEW SECTION. **Sec. 4.** (1) A medical specialty technician may only  
26 perform duties:

27 (a) Under the supervision of a health care provider;

28 (b) That are within the competence and training of the medical  
29 specialty technician; and

30 (c) That are within the supervising health care provider's scope of  
31 practice.

32 (2) Prior to delegation of any functions to a medical specialty  
33 technician, the health care provider must determine to the best of his  
34 or her ability each of the following:

35 (a) That the task is within that health care provider's authority;

36 (b) That the task is indicated for the patient;

- 1 (c) The appropriate level of supervision;
- 2 (d) That no law prohibits the delegation;
- 3 (e) That the medical specialty technician to whom the task will be
- 4 delegated is competent to perform that task; and
- 5 (f) That the task itself is one that is appropriately delegated
- 6 when considering the following factors:
- 7 (i) The task can be performed without requiring the exercise of
- 8 judgment based on medical knowledge;
- 9 (ii) Results of the task are reasonably predictable;
- 10 (iii) The task can be performed without a need for complex
- 11 observations or critical decisions;
- 12 (iv) The task can be performed without repeated medical
- 13 assessments; and
- 14 (v) The task, if performed improperly, would not present life-
- 15 threatening consequences or the danger of immediate and serious harm to
- 16 the patient.

17 NEW SECTION. **Sec. 5.** The health care provider must endorse a

18 medical specialty technician working under his or her supervision by

19 filing an attestation which:

- 20 (1) Lists the specific tasks that the medical specialty technician
- 21 may perform under the supervision of the health care provider; and
- 22 (2) Endorses that the medical specialty technician has sufficient
- 23 competence and training to safely and effectively perform those
- 24 specific tasks under the supervision of the health care provider.

25 NEW SECTION. **Sec. 6.** (1) The secretary must issue a registration

26 as a medical specialty technician to any person who has a current

27 endorsement from a health care provider.

- 28 (2) In order to be registered under this section, a person must:
- 29 (a) Be endorsed by a health care provider under section 5 of this
- 30 act; and
- 31 (b) Have a current attestation of his or her endorsement to perform
- 32 specific medical tasks signed by the supervising health care provider
- 33 filed with the department.
- 34 (3) A registration based on an endorsement by a health care
- 35 provider is not transferrable to another health care provider, clinic,
- 36 or group practice.

1        NEW SECTION.   **Sec. 7.**   (1) The secretary may:

2        (a) Adopt rules in accordance with chapter 34.05 RCW necessary to  
3        implement this chapter;

4        (b) Establish forms and procedures necessary to administer this  
5        chapter;

6        (c)     Establish     administrative     procedures,     administrative  
7        requirements, and fees in accordance with RCW 43.70.250 and 43.70.280.  
8        All fees collected under this section must be credited to the health  
9        professions account as required under RCW 43.70.320;

10       (d) Issue a registration to any applicant who has met the  
11       requirements for registration and deny a registration to applicants who  
12       do not meet the minimum qualifications for registration. However,  
13       denial of a registration based on unprofessional conduct or impaired  
14       practice is governed by chapter 18.130 RCW;

15       (e) Hire clerical, administrative, and investigative staff as  
16       needed to implement and administer this chapter;

17       (f) Maintain the official department of health record of all  
18       applicants and registrants; and

19       (g) Establish requirements and procedures for an inactive  
20       registration.

21       (2) Chapter 18.130 RCW governs unregistered practice, the issuance  
22       and denial of a registration, and the discipline of persons registered  
23       under this chapter.

24       NEW SECTION.   **Sec. 8.**   Nothing in this chapter affects health care  
25       assistants certified under chapter 18.135 RCW, except that persons  
26       currently certified as health care assistants are eligible to become  
27       medical specialty technicians if they meet the requirements set forth  
28       in this chapter.

29       NEW SECTION.   **Sec. 9.**   This act takes effect January 1, 2015.

30       NEW SECTION.   **Sec. 10.**   Sections 1 through 9 of this act constitute  
31       a new chapter in Title 18 RCW.

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