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**SUBSTITUTE SENATE BILL 5145**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Health Care (originally sponsored by Senators Dammeier, Frockt, Becker, Bailey, Rivers, and Brown)

READ FIRST TIME 02/10/15.

1 AN ACT Relating to the membership of the health technology  
2 clinical committee; and amending RCW 70.14.090.

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

4 **Sec. 1.** RCW 70.14.090 and 2006 c 307 s 2 are each amended to  
5 read as follows:

6 (1) A health technology clinical committee is established, to  
7 include the following eleven members appointed by the administrator  
8 in consultation with participating state agencies:

9 (a) Six practicing physicians licensed under chapter 18.57 or  
10 18.71 RCW; and

11 (b) Five other practicing licensed health professionals who use  
12 health technology in their scope of practice.

13 (i) At least two members of the committee must have professional  
14 experience treating women, children, elderly persons, and people with  
15 diverse ethnic and racial backgrounds.

16 (ii) At least one member of the committee must be a medical  
17 expert in the use of the technology being considered by the  
18 committee, appointed by the Washington state medical association.  
19 This member shall serve on the committee, with all of the rights and  
20 responsibilities of the standing committee members, only for review  
21 of the technology they have expertise in. This member is subject to

1 reappointment by the Washington state medical association. Where the  
2 Washington state medical association is unable for any reason to make  
3 the appointment, the administrator, or a designee, shall make the  
4 appointment.

5 (2) Members of the committee:

6 (a) Shall not contract with or be employed by a health technology  
7 manufacturer or a participating agency during their term or for  
8 eighteen months before their appointment. As a condition of  
9 appointment, each person shall agree to the terms and conditions  
10 imposed by the administrator regarding conflicts of interest;

11 (b) Are immune from civil liability for any official acts  
12 performed in good faith as members of the committee; and

13 (c) Shall be compensated for participation in the work of the  
14 committee in accordance with a personal services contract to be  
15 executed after appointment and before commencement of activities  
16 related to the work of the committee.

17 (3) Meetings of the committee and any advisory group are subject  
18 to chapter 42.30 RCW, the open public meetings act, including RCW  
19 42.30.110(1)(1), which authorizes an executive session during a  
20 regular or special meeting to consider proprietary or confidential  
21 nonpublished information.

22 (4) Neither the committee nor any advisory group is an agency for  
23 purposes of chapter 34.05 RCW.

24 (5) The health care authority shall provide administrative  
25 support to the committee and any advisory group, and may adopt rules  
26 governing their operation.

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