

Chapter 18.57 RCW
OSTEOPATHY—OSTEOPATHIC MEDICINE AND SURGERY

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RCW 18.57.001 Definitions. As used in this chapter:

- (1) "Board" means the Washington state board of osteopathic
medicine and surgery;
- (2) "Department" means the department of health;
- (3) "Maintenance of certification" means the satisfactory
participation in a formal recertification program to maintain board
certification after initial certification from the American
osteopathic association bureau of osteopathic specialists, the

American board of medical specialties, or other accrediting organization recognized by the board;

(4) "Osteopathic medicine and surgery" means the use of any and all methods in the treatment of disease, injuries, deformities, and all other physical and mental conditions in and of human beings, including the use of osteopathic manipulative therapy; and

(5) "Secretary" means the secretary of health. [2018 c 211 s 3; 1996 c 178 s 2; 1991 c 160 s 1; 1991 c 3 s 147; 1979 c 117 s 1.]

Effective date—1996 c 178: See note following RCW 18.35.110.

RCW 18.57.003 State board of osteopathic medicine and surgery—Membership—Qualifications—Officers—Meetings—Compensation and travel expenses—Removal. There is hereby created an agency of the state of Washington, consisting of eleven individuals appointed by the governor to be known as the Washington state board of osteopathic medicine and surgery.

On expiration of the term of any member, the governor shall appoint for a period of five years a qualified individual to take the place of such member. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified. Initial appointments shall be made and vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor.

Each member of the board shall be an actual resident of this state. Two members must be consumers who have neither a financial nor a fiduciary relationship to a health care delivery system, and every other member must have been in active practice as a licensed osteopathic physician and surgeon in this state for at least five years immediately preceding appointment.

The board shall elect a chairperson and a vice chairperson from its members. Meetings of the board shall be held at least four times a year and at such place as the board shall determine and at such other times and places as the board deems necessary.

A majority of the board members appointed and serving constitutes a quorum for the transaction of board business. The affirmative vote of a majority of a quorum of the board is required to carry a motion or resolution, to adopt a rule, or to pass a measure.

Each member of the board shall be compensated in accordance with RCW 43.03.265 and shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060. The board is a class five group for purposes of chapter 43.03 RCW.

Any member of the board may be removed by the governor for neglect of duty, misconduct, malfeasance or misfeasance in office, or upon written request of two-thirds of the physicians licensed under this chapter and in active practice in this state. [2022 c 240 s 28; (2022 c 240 s 27 expired July 1, 2022); 2020 c 80 s 14; 2017 c 101 s 1; 1991 c 160 s 2; 1984 c 287 s 42; 1979 c 117 s 2.]

Effective date—2022 c 240 s 28: "Section 28 of this act takes effect July 1, 2022." [2022 c 240 s 36.]

Expiration date—2022 c 240 s 27: "Section 27 of this act expires July 1, 2022." [2022 c 240 s 35.]

Effective date—2020 c 80 ss 12-59: See note following RCW 7.68.030.

Intent—2020 c 80: See note following RCW 18.71A.010.

Legislative findings—Severability—Effective date—1984 c 287:
See notes following RCW 43.03.220.

Secretary of health or designee ex officio member of health professional licensure and disciplinary boards: RCW 43.70.300.

RCW 18.57.005 Powers and duties of board. The board shall have the following powers and duties:

(1) To administer examinations to applicants for licensure under this chapter;

(2) To make such rules and regulations as are not inconsistent with the laws of this state as may be deemed necessary or proper to carry out the purposes of this chapter;

(3) To establish and administer requirements for continuing professional education as may be necessary or proper to insure the public health and safety as a prerequisite to granting and renewing licenses under this chapter: PROVIDED, That such rules shall not require a licensee under this chapter to engage in continuing education related to or provided by any specific branch, school, or philosophy of medical practice or its political and/or professional organizations, associations, or societies;

(4) To adopt rules governing the administration of sedation and anesthesia in the offices of persons licensed under this chapter, including necessary training and equipment;

(5) To keep an official record of all its proceedings, which record shall be evidence of all proceedings of the board which are set forth therein. [2007 c 273 s 27; 1986 c 259 s 94; 1979 c 117 s 3.]

Effective date—Implementation—2007 c 273: See RCW 70.230.900 and 70.230.901.

Severability—1986 c 259: See note following RCW 18.130.010.

RCW 18.57.011 Application of uniform disciplinary act. The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter. [1987 c 150 s 41; 1986 c 259 s 92.]

Severability—1987 c 150: See RCW 18.122.901.

Severability—1986 c 259: See note following RCW 18.130.010.

RCW 18.57.015 Osteopathic physician health program—Content—License surcharge. (1) To implement an osteopathic physician health program as authorized by RCW 18.130.175, the board shall enter into a contract with a physician health program or a voluntary substance use disorder monitoring program. The osteopathic physician health program may include any or all of the following:

- (a) Contracting with providers of treatment programs;
 - (b) Receiving and evaluating reports of suspected impairment from any source;
 - (c) Intervening in cases of verified impairment;
 - (d) Referring impaired osteopathic physicians to treatment programs;
 - (e) Monitoring the treatment and rehabilitation of impaired osteopathic physicians including those ordered by the board;
 - (f) Providing education, prevention of impairment, posttreatment monitoring, and support of rehabilitated impaired osteopathic physicians; and
 - (g) Performing other related activities as determined by the board.
- (2) A contract entered into under subsection (1) of this section shall be financed by a surcharge of \$70 per year or equivalent on each license issuance or renewal to be collected by the department from every osteopathic physician licensed under this chapter. These moneys shall be placed in the health professions account to be used solely for the implementation of the osteopathic physician health program. [2024 c 15 s 4; 2022 c 43 s 3; 2016 c 42 s 1.]

Findings—2024 c 15: See note following RCW 18.71.310.

RCW 18.57.020 Licenses—Application requirements. A license shall be issued by the secretary authorizing the holder to practice osteopathic medicine and surgery. In order to procure a license to practice osteopathic medicine and surgery, the applicant must provide the board evidence that a diploma has been issued to the applicant by an accredited school of osteopathic medicine and surgery, approved by the board. The application shall be made upon a form prepared by the secretary, with the approval of the board, and it shall contain such information concerning said osteopathic medical instruction and the preliminary education of the applicant as the board may by rule provide. Applicants who have failed to meet the requirements must be rejected.

An applicant for a license to practice osteopathic medicine and surgery must furnish evidence satisfactory to the board that he or she has served for not less than one year in a postgraduate training program approved by the board.

In addition, the applicant may be required to furnish evidence satisfactory to the board that he or she is physically and mentally capable of safely carrying on the practice of osteopathic medicine and surgery. The board may require any applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical and/or mental capability to safely practice osteopathic medicine and surgery. The applicant shall also show that he or she has not been guilty of any conduct which would constitute grounds for denial, suspension, or revocation of such license under the laws of the state of Washington.

Nothing in this section shall be construed as prohibiting the board from requiring such additional information from applicants as it deems necessary.

Nothing in this chapter shall be construed to require any applicant for licensure, or any licensee, as a requisite of retaining or renewing licensure under this chapter, to be a member of any

political and/or professional organization. [1991 c 160 s 3; (1991 c 3 s 148 repealed by 1991 sp.s. c 11 s 2); 1979 c 117 s 11; 1959 c 110 s 1; 1919 c 4 s 4; RRS s 10056. Cf. 1909 c 192 s 6. Formerly RCW 18.57.020, 18.57.060, 18.57.070, and 18.57.090.]

RCW 18.57.031 License required. No person may practice or represent himself or herself as an osteopathic physician and surgeon without first having a valid license to do so. [1987 c 150 s 42.]

Severability—1987 c 150: See RCW 18.122.901.

RCW 18.57.035 Postgraduate training licenses. The board may grant approval to issue without examination a license to an osteopathic physician and surgeon in a board-approved postgraduate training program in this state if the applicant files an application and meets all the requirements for licensure set forth in RCW 18.57.020 except for completion of one year of postgraduate training. The secretary shall issue a postgraduate osteopathic medicine and surgery license that permits the physician in postgraduate training to practice osteopathic medicine and surgery only in connection with his or her duties as a physician in postgraduate training and does not authorize the physician to engage in any other form of practice. Each physician in postgraduate training shall practice osteopathic medicine and surgery only under the supervision of a physician licensed in this state under this chapter or chapter 18.71 RCW, but such supervision shall not be construed to necessarily require the personal presence of the supervising physician at the place where services are rendered.

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

Persons applying for licensure pursuant to this section shall comply with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280. Any person who obtains a license pursuant to this section may, apply for licensure under this chapter, but shall submit a new application form and comply with all other licensing requirements of this chapter. [1996 c 191 s 34; 1991 c 160 s 9.]

RCW 18.57.040 Licensing exemptions. Nothing in this chapter shall be construed to prohibit:

- (1) Service in the case of emergency;
- (2) The domestic administration of family remedies;
- (3) The practice of midwifery as permitted under chapter 18.50 RCW;
- (4) The practice of osteopathic medicine and surgery by any commissioned medical officer in the United States government or military service or by any osteopathic physician and surgeon employed by a federal agency, in the discharge of his or her official duties;
- (5) Practice by a dentist licensed under chapter 18.32 RCW when engaged exclusively in the practice of dentistry;
- (6) The consultation through telemedicine or other means by a practitioner, licensed by another state or territory in which he or she resides, with a practitioner licensed in this state who has

responsibility for the diagnosis and treatment of the patient within this state;

(7) In-person practice by any osteopathic physician and surgeon from any other state or territory in which he or she resides: PROVIDED, That such practitioner shall not open an office or appoint a place of meeting patients or receive calls within the limits of this state;

(8) Practice by a person who is a student enrolled in an accredited school of osteopathic medicine and surgery approved by the board if:

(a) The performance of such services is only pursuant to a course of instruction or assignments from his or her instructor or school, and such services are performed only under the supervision of a person licensed pursuant to this chapter or chapter 18.71 RCW; or

(b) (i) Such services are performed without compensation or expectation of compensation as part of a volunteer activity;

(ii) The student is under the direct supervision and control of a pharmacist licensed under chapter 18.64 RCW, a physician licensed under chapter 18.71 RCW, an osteopathic physician and surgeon licensed under this chapter, or a registered nurse or *advanced registered nurse practitioner licensed under chapter 18.79 RCW;

(iii) The services the student performs are within the scope of practice of: (A) An osteopathic physician and surgeon licensed under this chapter; and (B) the person supervising the student;

(iv) The school in which the student is enrolled verifies the student has demonstrated competency through his or her education and training to perform the services; and

(v) The student provides proof of current malpractice insurance to the volunteer activity organizer prior to performing any services;

(9) Practice by an osteopathic physician and surgeon serving a period of clinical postgraduate medical training in a postgraduate program approved by the board: PROVIDED, That the performance of such services be only pursuant to a course of instruction in said program, and said services are performed only under the supervision and control of a person licensed pursuant to this chapter or chapter 18.71 RCW; or

(10) Practice by a person who is enrolled in a physician assistant program approved by the board who is performing such services only pursuant to a course of instruction in said program: PROVIDED, That such services are performed only under the supervision and control of a person licensed pursuant to this chapter or chapter 18.71 RCW.

This chapter shall not be construed to apply in any manner to any other system or method of treating the sick or afflicted or to apply to or interfere in any way with the practice of religion or any kind of treatment by prayer. [2021 c 247 s 2; 2019 c 270 s 2; 1991 c 160 s 5; 1919 c 4 s 19; RRS s 10071. FORMER PART OF SECTION: 1921 c 82 s 1, part; 1919 c 4 s 17, part; RRS s 10069, part, now codified in RCW 18.57.130.]

***Reviser's note:** The term "advanced registered nurse practitioner" was changed to "advanced practice registered nurse" by 2024 c 239 s 1, effective June 30, 2027.

Midwifery: Chapter 18.50 RCW.

RCW 18.57.045 Inactive licenses. A licensed osteopathic physician and surgeon who desires to leave the active practice of osteopathic medicine and surgery in this state may secure from the secretary an inactive license. The administrative procedures, administrative requirements, and fees for an inactive license shall be determined as provided in RCW 43.70.250 and 43.70.280. The holder of an inactive license may reactivate his or her license to practice osteopathic medicine and surgery in accordance with rules adopted by the board. [1996 c 191 s 35; 1991 c 160 s 4.]

RCW 18.57.050 Renewal of licenses—Continuing education requirements—Information about current professional practice. (1)

The board may establish rules and regulations governing mandatory continuing education requirements which shall be met by physicians applying for renewal of licenses. Administrative procedures, administrative requirements, and fees for applications and renewals shall be established as provided in RCW 43.70.250 and 43.70.280. The board shall determine prerequisites for relicensing.

(2) The board must request licensees to submit information about their current professional practice at the time of license renewal and licensees must provide the information requested. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the board. [2015 c 252 s 10; 1996 c 191 s 36; 1991 c 160 s 6; (1991 c 3 s 149 repealed by 1991 sp.s. c 11 s 2); 1985 c 7 s 55; 1979 c 117 s 12; 1975 1st ex.s. c 30 s 58; 1971 ex.s. c 266 s 11; 1919 c 4 s 6; RRS s 10058. Cf. 1909 c 192 s 7. Formerly RCW 18.57.050 and 18.57.120.]

Intent—2015 c 252: See note following RCW 70.112.010.

RCW 18.57.080 Examinations. Applicants for a license to practice osteopathic medicine and surgery must successfully complete an examination prepared or approved by the board. The examination shall be conducted in the English language, shall determine the applicant's fitness to practice osteopathic medicine and surgery, and may be in whole or in part in writing or by practical application on those general subjects and topics of which knowledge is commonly and generally required of applicants who have obtained the doctor of osteopathic medicine and surgery conferred by accredited schools of osteopathic medicine and surgery approved by the board. If an examination does not encompass the subject of osteopathic principles and practice, the applicant shall be required to complete the board-administered examination. The board may prepare and administer or approve preparation and administration of examinations on such subjects as the board deems advisable. The examination papers of any examination administered by the board shall form a part of the applicant's records and shall be retained as determined by the secretary for a period of not less than one year. All applicants for examination or reexamination shall comply with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280. [1996 c 191 s 37; 1991 c 160 s 7; (1991 c 3 s 150 repealed by 1991 sp.s. c 11 s 2); 1979 c 117 s 13; 1919 c 4 s 5; RRS s 10057. Cf. 1909 c 192 s 6. Formerly RCW 18.57.080 and 18.57.090, part.]

RCW 18.57.083 Maintenance of certification. (1) Except as provided in subsection (2) of this section, the board may not require an osteopathic physician and surgeon to participate in a maintenance of certification requirement as a condition of licensure or license renewal. The board may allow a physician to fulfill license renewal requirements through satisfactory participation in a recognized maintenance of certification program.

(2) This section does not apply to board certification requirements or maintenance of certification requirements included in any of the following:

- (a) A stipulation to informal disposition under RCW 18.130.172;
- (b) An order issued to resolve a statement of charges under RCW 18.130.090;
- (c) An order issued under RCW 18.130.160; or
- (d) A reinstatement order issued under RCW 18.130.150. [2018 c 211 s 4.]

RCW 18.57.130 Persons licensed by other states—Requirements—Fees. Any person who meets the requirements of RCW 18.57.020 as now or hereafter amended and has been examined and licensed to practice osteopathic medicine and surgery by a state board of examiners of another state or the duly constituted authorities of another state authorized to issue licenses to practice osteopathic medicine and surgery upon examination, shall upon approval of the board be entitled to receive a license to practice osteopathic medicine and surgery in this state upon complying with administrative procedures, administrative requirements, and paying a fee determined as provided in RCW 43.70.250 and 43.70.280 and filing a copy of his or her license in such other state, duly certified by the authorities granting the license to be a full, true, and correct copy thereof, and certifying also that the standard of requirements adopted by such authorities as provided by the law of such state is substantially equal to that provided for by the provisions of this chapter: PROVIDED, That no license shall issue without examination to any person who has previously failed in an examination held in this state: PROVIDED, FURTHER, That all licenses herein mentioned may be revoked for unprofessional conduct, in the same manner and upon the same grounds as if issued under this chapter: PROVIDED, FURTHER, That no one shall be permitted to practice surgery under this chapter who has not a license to practice osteopathic medicine and surgery. [1996 c 191 s 38. Prior: 1991 c 160 s 10; 1991 c 3 s 151; 1985 c 7 s 56; 1979 c 117 s 15; 1975 1st ex.s. c 30 s 59; 1921 c 82 s 1; 1919 c 4 s 17; RRS s 10069. Formerly RCW 18.57.010, 18.57.040, part, and 18.57.130.]

RCW 18.57.140 Advertising regulations. On all cards, signs, letterheads, envelopes and billheads used by those licensed by this chapter to practice osteopathic medicine and surgery the word "osteopathic" shall always immediately precede the word "physician" and if the word "surgeon" is used in connection with said name, the word "osteopathic" shall also immediately precede said word "surgeon." [1996 c 178 s 3; 1919 c 4 s 20; RRS s 10072.]

Effective date—1996 c 178: See note following RCW 18.35.110.

RCW 18.57.145 Use of designations in combination with name. No provision of this chapter or of any other law shall prevent any person who holds a valid, unrevoked certificate to practice osteopathic medicine and surgery from using in combination with his or her name the designation "Osteopathic Physician and Surgeon" or the abbreviation of his or her professional degree, Doctor of Osteopathy (D.O.), provided he or she hold such professional degree, or any combination thereof upon his or her stationery, in any professional lists or directories or in other places where the same may properly appear as permitted within the canons of ethics approved by the board. [1991 c 160 s 8; 1959 c 110 s 2.]

RCW 18.57.150 Applicability of health regulations. All persons granted licenses or certificates under this chapter shall be subject to the state and municipal regulations relating to the control of contagious diseases, the reporting and certifying to births and deaths, and all matters pertaining to public health; and all such reports shall be accepted as legal. [1919 c 4 s 18; RRS s 10070.]

Vital statistics: Chapter 70.58A RCW.

RCW 18.57.160 Unlawful practices. Every person falsely claiming himself or herself to be the person named in a certificate issued to another, or falsely claiming himself or herself to be the person entitled to the same, is guilty of forgery under RCW 9A.60.020. [2003 c 53 s 131; 1981 c 277 s 9; 1919 c 4 s 15; RRS s 10067. Cf. 1909 c 192 s 15.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Forgery: RCW 9A.60.020.

RCW 18.57.245 Insurer's report of malpractice payments. Every institution or organization providing professional liability insurance to osteopathic physicians shall send a complete report to the board of all malpractice settlements, awards, or payments in excess of twenty thousand dollars as a result of a claim or action for damages alleged to have been caused by an insured physician's incompetency or negligence in the practice of osteopathic medicine. Such institution or organization shall also report the award, settlement, or payment of three or more claims during a year as the result of the alleged physician's incompetence or negligence in the practice of medicine regardless of the dollar amount of the award or payment.

Reports required by this section shall be made within sixty days of the date of the settlement or verdict. Failure to comply with this section is punishable by a civil penalty not to exceed two hundred fifty dollars. [1986 c 300 s 10.]

Legislative findings—1986 c 300: "(1) The legislature finds that medical malpractice will be reduced if hospitals establish coordinated medical malpractice prevention programs and provide greater scrutiny of physicians prior to granting or renewing hospital privileges.

(2) The legislature also finds that physician disciplinary boards can reduce medical malpractice if they have access to additional information on health care providers who are incompetent or impaired." [1986 c 300 s 1.]

Severability—1986 c 300: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1986 c 300 s 12.]

RCW 18.57.285 Pain management rules—Repeal—Adoption of new rules. (1) By June 30, 2011, the board shall repeal its rules on pain management, WAC 246-853-510 through 246-853-540.

(2) By June 30, 2011, the board shall adopt new rules on chronic, noncancer pain management that contain the following elements:

(a) (i) Dosing criteria, including:

(A) A dosage amount that must not be exceeded unless an osteopathic physician and surgeon first consults with a practitioner specializing in pain management; and

(B) Exigent or special circumstances under which the dosage amount may be exceeded without consultation with a practitioner specializing in pain management.

(ii) The rules regarding consultation with a practitioner specializing in pain management must, to the extent practicable, take into account:

(A) Circumstances under which repeated consultations would not be necessary or appropriate for a patient undergoing a stable, ongoing course of treatment for pain management;

(B) Minimum training and experience that is sufficient to exempt an osteopathic physician and surgeon from the specialty consultation requirement;

(C) Methods for enhancing the availability of consultations;

(D) Allowing the efficient use of resources; and

(E) Minimizing the burden on practitioners and patients;

(b) Guidance on when to seek specialty consultation and ways in which electronic specialty consultations may be sought;

(c) Guidance on tracking clinical progress by using assessment tools focusing on pain interference, physical function, and overall risk for poor outcome; and

(d) Guidance on tracking the use of opioids, particularly in the emergency department.

(3) The board shall consult with the agency medical directors' group, the department of health, the University of Washington, and the largest association of osteopathic physicians and surgeons in the state.

(4) The rules adopted under this section do not apply:

(a) To the provision of palliative, hospice, or other end-of-life care; or

(b) To the management of acute pain caused by an injury or a surgical procedure. [2010 c 209 s 3.]

RCW 18.57.290 Down syndrome—Parent information. An osteopathic physician and surgeon licensed under this chapter who provides a parent with a positive prenatal or postnatal diagnosis of Down

syndrome shall provide the parent with the information prepared by the department under RCW 43.70.738 at the time the physician provides the parent with the Down syndrome diagnosis. [2016 c 70 s 3.]

RCW 18.57.800 Opioid drug prescribing rules—Adoption. (1) By January 1, 2019, the board must adopt rules establishing requirements for prescribing opioid drugs. The rules may contain exemptions based on education, training, amount of opioids prescribed, patient panel, and practice environment.

(2) In developing the rules, the board must consider the agency medical directors' group and centers for disease control guidelines, and may consult with the department of health, the University of Washington, and the largest professional association of osteopathic physicians and surgeons in the state. [2017 c 297 s 4.]

Findings—Intent—2017 c 297: See note following RCW 18.22.800.

RCW 18.57.810 Opioid drugs—Right to refuse. By January 1, 2020, the board must adopt or amend its rules to require osteopathic physicians who prescribe opioids to inform patients of their right to refuse an opioid prescription or order for any reason. If a patient indicates a desire to not receive an opioid, the osteopathic physician must document the patient's request and avoid prescribing or ordering opioids, unless the request is revoked by the patient. [2019 c 314 s 5.]

Declaration—2019 c 314: See note following RCW 18.22.810.

RCW 18.57.900 Interchangeable terms. The words "certificates" and "licenses" shall be known as interchangeable terms in this chapter. [1919 c 4 s 21; RRS s 10073.]

RCW 18.57.910 Repeal. All acts and parts of acts in conflict herewith are hereby repealed. [1919 c 4 s 22.]