



## **2015 Request Legislative Agenda**

### **Preventing Youth Access to Vapor Products, at the request of Governor Inslee**

The use of electronic nicotine delivery systems, known as vaping is spreading rapidly. This causes concerns when the growing market includes children. Vapor products are not subject to federal regulation and are minimally regulated by our state. Product advertising uses themes similar to those used cigarette manufacturers used before their advertising was restricted. Candy-like flavors appeal to children.

This bill will establish a seller licensing framework, and prohibit the following:

- sale of vaping products to those under age 21,
- use of vaping products in schools,
- fluid flavoring, and
- internet and vending machine sales.

The bill gives Washington Liquor Control Board the authority to enforce these regulations and puts a tax equivalent to that applicable to other tobacco products on vaping products. It will also increase fines for violations of laws restricting sale of tobacco to minors.

### **Education-Based Practice Remediation**

A non-disciplinary, education-based process will be added to Uniform Disciplinary Act (UDA) to remedy minor practice deficiencies through successful completion of a remediation plan. Remediation would be limited to problems that do not directly result in harm to a patient or client. Currently, the only recourse for a disciplining authority (Board, Commission or Secretary of Health) to address a health care practitioner's deficiencies is through the formal or informal disciplinary process authorized in the (UDA). This program will have no fiscal impact.

### **Pharmacy Assistants Credential Fee**

The pharmacy assistant profession requires a level of regulatory effort similar to other professions credentialed by the department, with respect to background checks, initial application and renewal processing and discipline. This cost is currently covered by pharmacist license fees and other licensees. This bill will establish a credentialing fee for the pharmacy assistant profession, so that this license category will be a self-supporting profession as required by RCW 43.70.250.

### **Scope of Practice for Certified Counselors and Advisors**

Currently mental, emotional, and behavioral health services providers are required by RCW 18.19.020 to use the Diagnostic and Statistical Manual (DSM) IV and Global Assessment of Functioning (GAF) scoring tools for patient screening. This proposal amends RCW 18.19.200 to remove these obsolete references and replaces them with the more general and current criteria of risk assessment of mild, moderate, and severe mental, emotional, or behavioral problems. The bill is designed to allow more detailed description of scope, and adjustment as the practice evolves, by rule.



### **Biotoxin Testing for Diarrhetic Shellfish Poisoning (Fee increase)**

Biotoxin data is used to ensure harvest areas are healthy and produce safe shellfish for human consumption. Emerging biotoxins such as diarrhetic shellfish poisoning require increased sampling and testing and current funding is being exhausted. The bill will authorize an increase in a shellfish license surcharge that currently supports testing for toxins. This legislation will have fiscal impact.

### **Protecting Puget Sound through Funding and Implementing Local On-Site Sewage Program Management Plans**

A minimum annual fee of \$30 would be paid by on-site septic system owners in the Puget Sound region to their counties. The fee would bolster county septic system programs that provide education on care and use of septic systems to owners, system surveys and inspections. It would also authorize a federally funded low interest loan program for system improvements by owners.

### **Drinking Water State Revolving Fund**

Drinking Water State Revolving Fund (DWSRF) loan program provides low-interest loans to eligible public water systems to build, repair, and redesign infrastructure. The program is currently administered by both the Department of Health (DOH) and Department of Commerce. This bill will consolidate program administration at DOH, resulting in efficiencies that will soon increase the amount of money available for water project funding.

### **Please contact us with questions or for more information.**

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## **Requested by the Nursing Care Quality Assurance Commission**

### **Nursing Background Checks (Rap Back Program) – *pending approval***

The Nursing Care Quality Assurance Commission (commission) is proposing use of the Federal Rap Back Program through the U.S. Department of Justice for background checks of nursing care professionals. This program will not only provide current background information on an individual, but will update the commission if future criminal action occurs for an individual licensed in Washington.

## **Requested by the Medical Quality Assurance Commission**

### **Physician and Physician Assistant Demographics Collection**

RCW 18.71.080 1(b) allows the Medical Quality Assurance Commission to collect demographic information during license renewal on medical doctors and physician assistants for the purposes of facilitating workforce planning. Due to the response being voluntary, less than 50 percent has been received, therefore making the information inadequate for the purposes of workforce and disaster planning and analysis. Current law would be amended to require response from the licensee during renewal. This bill would have no fiscal impact.

### **Allopathic Physician Licensure Requirements Reform**

Moves some license requirements from statute to rule for ease of updating as requirements evolve with the delivery system. Statutory changes and mandated rules would update training requirements to reflect current training standards. Eliminates the two year restriction on the fellowship license and creates a pathway to licensure by exceptional qualification.

### **Interstate Physician Licensure Compact – *pending approval***

The Federation of State Medical Boards, working with stakeholders and addressing regulatory concerns, has collaboratively drafted an Interstate Licensure Compact to facilitate multi-state practice while maintaining high licensure standards. This proposal would create laws that authorize the Board of Osteopathic Medicine and Surgery (BOMS) and Medical Quality Assurance Commission (MQAC) to participate in the Interstate Licensure Compact to create expedited, multiple state allopathic and osteopathic physician licensing for those who meet certain qualifications.