



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Health- Medical Quality Assurance Commission

- Preproposal Statement of Inquiry was filed as WSR 16-13-106 ; or
- Expedited Rule Making--Proposed notice was filed as WSR _ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

Title of rule and other identifying information: (Describe Subject)

WAC 246-919-390--Temporary Practice--Recognized jurisdictions and WAC 246-919-395--Temporary Practice Permits Issuance and Duration. The Medical Quality Assurance Commission (commission) is proposing repealing -390 and amending -395 to update requirements for issuance of a temporary practice permit for allopathic physicians to be consistent with current practice, modernize language, streamline application review processes, and clarify requirements.

Hearing location(s): Educational Service District 123
3924 West Court Street
Pasco, WA 99301

Date: 6/28/17 Time: 1:30 PM

Submit written comments to:

Name: Daidria Underwood
Address: PO Box 47866
Olympia, WA 98504-7866
e-mail: <https://fortress.wa.gov/doh/policyreview>
fax (360) 236-4626 by (date) 06/21/2017

Assistance for persons with disabilities: Contact

Daidria Underwood by 06/23/2017

TTY (800) 833-6388 or () 711

Date of intended adoption: 06/28/2017

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of the proposal is to: (1) clarify when a temporary practice permit may be issued to an applicant who is licensed in another state with substantially equivalent standards as Washington's; (2) allow the commission flexibility to add or delete states from an internal list without going through a rules process; (3) improve access to health care by allowing otherwise qualified applicants from states not listed in current rule to provide care by being issued a temporary practice permit; and (4) update language to align with current practice and regulations.

Reasons supporting proposal:

The commission proposes repealing -390 to remove an outdated list of states with licensing requirements equivalent to Washington's to allow the commission to maintain an internal list of states for a more expedient issuance of temporary practice permits to qualified applicants. Under existing rule, the commission must deny temporary permits to individuals who otherwise would qualify for a temporary permit but whose state is not listed in rule. The proposal also updates rules to align with department rules on temporary practice permits in chapter 246-12 WAC.

Statutory authority for adoption:

RCW 18.71.017; RCW 18.130.075

Statute being implemented:

RCW 18.130.075

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 11, 2017

TIME: 10:03 AM

WSR 17-11-034

DATE 05/11/17

NAME (type or print)
Melanie de Leon

SIGNATURE *Melanie de Leon*

TITLE
Executive Director

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Medical Quality Assurance Commission

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Daidria Underwood	111 Israel RD SE, Tumwater, WA 98501	(360) 236-2727
Implementation....Melanie de Leon	111 Israel RD SE, Tumwater, WA 98501	(360) 236-2755
Enforcement.....Melanie de Leon	111 Israel RD SE, Tumwater, WA 98501	(360) 236-2755

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

(SBEIS) was not prepared. Under RCW required for proposed rules process requirement for

A small business economic impact statement 19.85.025 and 34.05.310(4)(g)(ii), a SBEIS is not that adopt, amend, or repeal a filing or related applying to an agency for a license or permit.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Daidria Underwood

Address: PO Box 47866

Olympia, WA 98504-7866

phone (360) 236-2727

fax (360) 236-2795

e-mail daidria.underwood@doh.wa.gov

No: Please explain:
RCW 34.05.3288. RCW

The agency did not complete a cost benefit analysis under

34.05.328(5)(c). This rule amend a process requirement for making application to an agency for a license or permit for allopathic physicians.

WAC 246-919-395 Substantially equivalent licensing standards—Temporary practice permit~~((s—Issuance and duration))~~. (1) ~~((Upon submission of a completed license application form on which the applicant indicates that he or she wishes to receive a temporary practice permit; payment of the application fee and temporary practice permit fee; receipt of the American Medical Association's physicians' data profile verifying states in which the applicant is or was licensed; receipt of disciplinary action data bank report from the Federation of State Medical Boards and receipt of written verification attesting that the applicant has a license in good standing and is not subject to charges or disciplinary action for unprofessional conduct or impairment from all states which the applicant is or was licensed, the applicant shall be issued a temporary practice permit unless there is a basis for denial of the license or issuance of a conditional license.~~

~~(2))~~ An applicant who holds an unrestricted, active license in another state with licensing standards substantially equivalent to those in Washington may apply for a temporary practice permit authorizing the applicant to practice as a physician in Washington.

(2) The commission will issue the physician a temporary practice permit if the following requirements are met:

(a) The applicant submits a completed application for a physician and surgeon license on a form provided by the commission on which the applicant indicates that he or she wishes to receive a temporary practice permit;

(b) The applicant submits payment of the application fee and temporary practice permit fee pursuant to WAC 246-919-990;

(c) The commission receives the American Medical Association's physicians' data profile verifying states in which the applicant is or was licensed;

(d) The commission receives the practitioner profile from the Federation of State Medical Boards;

(e) The applicant requests and the commission receives written verification attesting that the applicant has a license in good standing and is not subject to charges or disciplinary action for unprofessional conduct or impairment from all states which the applicant is or was licensed;

(f) The applicant is not subject to denial of a license or issuance of a conditional license under chapter 18.130 RCW; and

(g) The applicant is licensed in a state that has licensing standards substantially equivalent to Washington.

(3) The temporary practice permit allows the applicant to work in the state of Washington as a physician without restriction until the permit expires. The temporary practice permit is a license to practice medicine.

(4) The temporary permit shall expire upon the issuance of a license by the commission; initiation of an investigation by the commission of the applicant; or ninety days after the temporary practice permit is issued, whichever occurs first. The temporary permit will not be renewed, reissued, or extended.

~~((3))~~ (5) An applicant who receives a temporary practice permit and who does not complete the application process may not receive ad-

ditional temporary practice permits even upon submission of a new application in the future.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-919-390 Temporary permits—Recognized
jurisdictions.