

## 2008 Legislative Services Update

| <i>State</i> | <i>Issue</i>                           | <i>Status</i> | <i>LegType</i> | <i>Bill Number</i> | <i>Bill Summary</i>   |
|--------------|--|---------------|----------------|--------------------|---|
| Alaska       | Complementary and Alternative Medicine | Pending       | SB             | 107                | Creates the Naturopathic Advisory Committee within the Department of Health. The Committee will: review allegations of misconduct involving naturopaths; advise the department on the approval of naturopathic medical programs; and advice the department on the adoption of regulations.  |
| Alaska       | Miscellaneous                          | Substituted   | SB             | 8                  | States that a mental health patient has the right to have care provided by a staff member who is the gender that the patient requests.  |
| Alaska       | Medical Errors/Patient Safety          | Pending       | SB             | 62                 | Establishes the Advisory Committee on Public Reporting of Health Care Associated Infections within the Department of Health and Social Services to collect, analyze, and maintain databases of information related to health care associated infections, among previously noted items.      |
| Alaska       | Medical Board Organization & Authority | Pending       | HB             | 114                | Extends the sunset date of the Medical Board from June 30, 2007, to June 30, 2013.  |
| Alaska       | Physician Practice                     | Pending       | HB             | 300                | Requires physicians to attending or making a postnatal examination of a mother and infant to document the infant's prenatal exposure to alcohol in the infant's medical file, if the mother provides her consent to the inclusion of the information in the infant's medical file.          |
| Alaska       | Physician Practice                     | Pending       | SB             | 252                | Requires physicians to attending or making a postnatal examination of a mother and infant to document the infant's prenatal exposure to alcohol in the infant's medical file, if the mother provides her consent to the inclusion of the information in the infant's medical file.          |
| Alaska       | Complementary and Alternative Medicine | Substituted   | HB             | 363                | Establishes the Naturopathic Board and authorizes a naturopath to prescribe and administer prescription drugs and medical devices approved on a formulary.  |
| California   | Physician Practice                     | Pending       | AB             | 2968               | Enacts the Donda West Law, which prohibits the performance of an elective cosmetic surgery on a patient unless, prior to surgery, the patient has completed a physical examination by, and has received written clearance for the for the procedure from, a licensed physician and surgeon. |

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| California   | Extending Health Care Services to Underserved Patient Populations | Failed        | SB             | 236                | States the intent of the Legislature to enact legislation to improve access and affordability of health care to Californians. Addresses issues such as allowing hospitals to offer preventive health services only coverage where the actual care is delivered through a hospital's primary care or community-based clinics; allow nurse practitioners to establish and run primary care clinics; provide a partial tax credit directly to providers for the cost of providing care to the uninsured; realign and extend health care coverage for the uninsurable population; conform California's laws to federal law with respect to providing tax deductions for businesses and individuals who use health savings accounts; and provide a tax credit for hospitals and physicians and surgeons who purchase cost-saving and quality-improving technologies such as electronic medical records and telemedicine and establish a low-interest loan program to assist nonprofit hospitals and medical groups make health care technology purchases. |
| California   | Extending Health Care Services to Underserved Patient Populations | Pending       | AB             | 6                  | AB 6a<br>Creates the California Physician Assistant Scholarship and Loan Repayment Program to provide scholarships to physician assistant students and to repay qualifying educational loans of physician assistants who agree to practice in medically underserved areas of the state where unmet priority needs exist for primary care family physicians.  |
| California   | Scope of Practice   | Failed        | SB             | 24                 | SB 24a<br>Provides for activities that a nurse practitioner is authorized to engage in and allows a nurse practitioner to prescribe drugs and devices if he or she has been certified by the board to have satisfactorily completed at least 6 months of supervised experience in the prescribing of drugs and devices. Drugs and devices prescribed may include Schedule II through Schedule V controlled substances. The bill also requires all nurse practitioners authorized to prescribe to register with the United States Drug Enforcement Administration, and the bill deletes the prohibition against a physician and surgeon supervising more than 4 nurse practitioners at one time.  |
| California   | Pain Management/Prescription Monitoring                           | Amended       | AB             | 2747               | Requires an attending physician who makes a diagnosis that a patient has a terminal illness or makes a prognosis that a patient has less than one year to live to provide the patient with the opportunity to receive comprehensive information and counseling regarding legal end-of-life options and provide for the referral or transfer of a patient if the patient's physician does not wish to comply with the patient's choice of end-of-life options.  |
| California   | Physician Practice  | Amended       | AB             | 2398               | Requires a physician or surgeon who delegates the performance or administration of any cosmetic medical procedure or treatment to provide immediate supervision of that procedure or treatment and to have performed an initial, good faith, and appropriate prior examination of the patient for whom treatment has been delegated. Provides that a violation of this provision may subject the person or entity that has committed the violation to either a fine of up to \$25,000 per occurrence pursuant to a citation issued by the Medical Board or a civil penalty of \$25,000 per occurrence.   |

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| California   | Physician Practice                     | Pending       | AB             | 2841               | Enacts the Reusable Adipose Cannula Full Disclosure Act, which requires a physician and surgeon to provide specified written disclosures to a patient prior to that patient undergoing any adipose medical procedure for which a reusable adipose cannula is to be used.  |
| California   | Scope of Practice                      | Pending       | SB             | 1427               | Authorizes a prescribing psychologist, as defined, to prescribe drugs for the treatment of specified disorders if certain requirements are met, under collaborative medication treatment management protocols. Drugs that may be prescribed include Schedule II-V controlled substances.  |
| California   | Scope of Practice                      | Amended       | SB             | 1504               | Prohibits a pharmacist from filling a prescription order for an antiepileptic drug, or formulation of an antiepileptic drug prescribed by its trade, brand, or generic name for the treatment or prevention of epileptic seizures, or substitute a drug product without prior notification of the prescriber and the signed consent to the substitution from the patient or the patient's parent, legal guardian, or spouse.  |
| California   | Scope of Practice                      | Failed        | AB             | 1643               | Repeals the prohibition against a physician and surgeon supervising more than 4 nurse practitioners at one time.  |
| California   | Physician Practice                     | Pending       | AB             | 2644               | Requires any health care provider that directly bills a patient for professional health care services, including hospital services, to provide in plain English, as defined, a description of the medical procedures or services for which a patient is billed.   |
| California   | Medical Board Organization & Authority | Pending       | AB             | 2482               | Authorizes the Physician Assistant Committee to require a physician assistant licensee to complete continuing education as a condition of license renewal. Prohibits the Committee from requiring more than fifty hours of continuing education every two years.  |
| California   | Scope of Practice                      | Pending       | AB             | 1940               | Defines temporary disability for the purposes of special license plates, placards, or temporary placards indicating a person is a disabled person, disabled veteran, or an organization or agency involved in the transportation of disabled persons or disabled veterans, and allows the temporary disability designation to be signed by a physician and surgeon, nurse practitioner, certified nurse midwife, or a physician assistant.  |
| California   | Miscellaneous                          | Amended       | AB             | 1944               | Amends existing law that established a pilot project to allow qualified district hospitals to employ a physician and surgeon if the hospital does not interfere with, control, or otherwise direct the professional judgment of the physician and surgeon. Deletes the pilot project and instead authorizes a health care district to employ a physician and surgeon if specified requirements are met and the district does not interfere with, control, or otherwise direct the professional judgment of the physician and surgeon. |
| California   | Medical Board Organization & Authority | Amended       | AB             | 2439               | Makes a formerly \$50 voluntary fee for applicants for issuance or renewal of a physician and surgeon's license to be deposited into the Medically Underserved Account for Physicians mandatory. Provides that at least 15% of the funds collected be dedicated to loan assistance for physicians and surgeons who agree to practice in geriatric care settings or settings that primarily serve adults over the age 65 years or adults with disabilities.  |
| California   | Medical Board Organization & Authority | Amended       | AB             | 2442               | Deletes statutory reference to the diversion program of the Medical Board, which becomes inoperative July 1, 2008.  |

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| California   | Medical Board Organization & Authority                            | Pending       | AB             | 2443               | Requires the Medical Board to establish a program to promote the well-being of physicians and surgeons and would require the program to include, but not be limited to, an examination of wellness education for medical students, postgraduate trainees, and licensed physicians and surgeons.   |
| California   | Medical Board Organization & Authority                            | Amended       | SJR            | 19                 | Requests all relevant agencies, including the Medical Board of California and the Osteopathic Medical Board of California, to notify California licensed health professionals about their professional obligations under international law which prohibit the torture of, and the cruel, inhuman, and degrading treatment or punishment of, detainees in United States custody. The Legislature further requests that all relevant agencies to notify health professionals licensed in California that those who participate in coercive interrogation, torture, or other forms of cruel, inhuman, or degrading treatment or punishment may one day be subject to prosecution. Be it further resolved that the Legislature further requests that all California-licensed health professionals be removed from participating in any way in prisoner and detainee interrogations that are coercive or enhanced or that involve torture or cruel, inhuman, or degrading treatment or punishment. However, such licensed health professionals may continue to provide appropriate health care if called upon to deal with a victim of the conduct and torture described in this resolution. |
| California   | Medical Board Organization & Authority                            | Amended       | AB             | 2445               | Authorizes the Medical Board to issue a physician's and surgeon's certificate to an applicant who has committed lesser violations, and to concurrently issue a public letter of reprimand. The letter of reprimand would be purged three years from the date of issuance.   |
| California   | Medical Errors/Patient Safety                                     | Pending       | AB             | 3037               | Declares the intent of the legislature to enact legislation that would require the development of an online database with information on the criminal backgrounds of physicians and surgeons.   |
| California   | Extending Health Care Services to Underserved Patient Populations | Amended       | AB             | 2543               | Establishes the Geriatric and Gerontology Workforce Expansion Act to provide loan repayment assistance to licensed health care professionals, social workers, or marriage and family therapists who work in a geriatric care setting. Requires the selection committee of the Stephen M. Thomson Physician Corps Loan Repayment Program to fill 15% of the available positions with program applicants that agree to participate in a geriatric care setting.   |
| California   | Medical Board Organization & Authority                            | Amended       | AB             | 2734               | Requires a public communication by a licensed physician and surgeon to include a valid license number, contact information for the appropriate licensing agency, a notice to contact the agency for further licensing details, and, in the case of an entity other than an individual, the fictitious name permit number, as specified. Prohibits the willful and intentional use of a license number that is not the person's current, valid license number. Violation of these provisions constitutes a misdemeanor and also constitutes unprofessional conduct.  |

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| California   | Medical Board Organization & Authority | Amended       | SB             | 1441               | Establishes the Diversion Coordination Committee within the Department of Consumer Affairs to be comprised of the executive officers of those healing arts boards, including the Medical Board, that establish and maintain a diversion program. The Committee shall issue a set of best practices and recommendations to govern those healing arts licensing boards' diversion programs. The Licensee Drug and Alcohol Addiction Coordination Committee is also established along similar lines.  |
| California   | Medical Board Organization & Authority | Amended       | SB             | 1454               | Excludes from the exemption that a health care practitioner whose license is prominently displayed in a practice or office to the requirement the health care practitioner disclose, while working, his or her name and license status on a specified name tag, if the health care practitioner is working in an outpatient clinic. Requires the Medical Board to establish, as a priority, the investigation of unlicensed activity or other specified violations in clinics or other settings using laser or intense pulse light devices. Requires the Medical Board to post on its website an easy to understand factsheet to educate the public about cosmetic surgery and procedures. Further, requires the Board to notify the public whether a setting is accredited, certified, or licensed, and requires the accrediting agency to immediately notify the Board if the outpatient setting's certificate for accreditation has been denied.  |
| California   | Medical Errors/Patient Safety          | Pending       | AB             | 2542               | States the intent of the legislature to enact legislation that would enhance patient safety.   |
| California   | Outpatient/Office-Based Surgery        | Amended       | AB             | 2122               | Enacts the Outpatient Surgery Patient Safety and Improvement Act to require, on or after January 1, 2009, any person, firm, association, partnership, or corporation desiring a license for a surgical clinic to meet prescribed operational, staffing, and procedural standards. The Department of Public Health is required to perform periodic inspections of surgical clinics at least once every 3 years.   |
| California   | Medical Board Organization & Authority | Pending       | AB             | 2444               | Allows the Medical Board to include in a public letter of reprimand, at the discretion of the Board, a requirement for specified training.   |
| California   | Electronic & Internet Prescribing      | Failed        | AB             | 1                  | AB 1a<br>Removes the requirement that a medical assistant may administer medication upon specific authorization and supervision of a nurse practitioner, nurse-midwife, or physician assistant; prohibits a physician or surgeon from supervising more than 6 nurse practitioners at one time or from supervising more than 6 physician assistants at one time; creates the Task Force on Nurse Practitioner Scope of Practice who will be responsible for developing a recommended scope of practice for nurse practitioners. This bill would also require electronic prescribing systems to meet specified standards and requirements and would require a prescriber to give patients a written receipt of information transmitted electronically, including the patient's name and the drug prescribed, and would require the State Department of Health Care Services to identify best practices related to e-prescribing modalities and standards and to develop a pilot program to foster the adoption and use of electronic prescribing by health care providers that contract with Medi-cal. |

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| California   | Miscellaneous                          | Pending       | SB             | 1294               | Amends existing law that established a pilot project to allow qualified district hospitals to employ a physician and surgeon if the hospital does not interfere with, control, or otherwise direct the professional judgment of the physician and surgeon. Revises the pilot project to authorize a health care district to employ a physician and surgeon if specified requirements are met and the district does not interfere with, control, or otherwise direct the professional judgment of the physician and surgeon.  |
| California   | Scope of Practice                      | Failed        | SB             | 993                | Authorizes a certified prescribing psychologist, as defined, to prescribe drugs for the treatment of specified disorders if certain requirements are met. Amends the definition of the practice of psychology to include prescribing drugs by a certified prescribing psychologist.  |
| California   | Telemedicine                           | Amended       | AB             | 2661               | Provides that telemedicine includes the use of telephonic communication to provide and support health care delivery, diagnosis, consultation, and treatment when distance separates a patient and his or her primary care physician and surgeon. Requires a health care practitioner utilizing telemedicine to create and maintain an electronic medical record on each patient that the practitioner treats via telemedicine. Further authorizes a patient's physician providing health care via telemedicine to prescribe, dispense, or furnish dangerous drugs without a prior examination. |
| California   | Managed Care                           | Amended       | AB             | 1774               | Requires a health care service plan contract and a health insurance policy to provide coverage for any test necessary for the screening and diagnosis of gynecological cancers when ordered by a physician, nurse practitioner, or certified nurse midwife.  |
| California   | Managed Care                           | Amended       | AB             | 2861               | Requires a health care service plan or an insurer that provides coverage for emergency health care services to reimburse providers for prestabilization emergency mental health services provided to its enrollees or insureds without prior authorization in specified circumstances.   |
| California   | Miscellaneous                          | Amended       | ACR            | 112                | Establishes the Legislative Task Force on Fibromyalgia to perform various functions regarding fibromyalgia as specified, including promoting fibromyalgia education and training programs for physicians and other health professionals.   |
| California   | Complementary and Alternative Medicine | Failed        | AB             | 636                | Amends the definition of the practice of acupuncture to authorize the use of light by a licensed acupuncturist to promote, maintain, and restore health.   |
| California   | Physician Practice                     | Amended       | SB             | 1729               | Requires that all registered nurses, certified nurse assistants, licensed vocational nurses, and physician and surgeons working in skilled nursing facilities or congregate living health facilities participate in a training program that focuses on preventing and eliminating discrimination based on sexual orientation and gender identity.  |

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| California   | Medical Board Organization & Authority                            | Amended       | SB             | 1779               | Requires that certain training required for a physician and surgeon's license must be approved by, or in programs approved by, the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada, and deletes the requirement of passage of a clinical competency examination that is currently applicable to certain applicants. Further deletes the requirement that the Board keep state examination records on file for at least 2 years, and instead requires the Board to keep such records on file until June 2069.  |
| California   | Extending Health Care Services to Underserved Patient Populations | Amended       | SB             | 1332               | Requires seniors and persons with disabilities in certain counties who are not expressly excluded from enrollment to enroll in a Medi-Cal managed care health plan.  |
| California   | Medical Errors/Patient Safety                                     | Amended       | SB             | 158                | Requires the Department of Public Health to establish a health care infection surveillance, prevention, and control program. Further, the Department is required to adopt hospital staffing regulations for hospital infection surveillance, prevention, and control programs.   |
| California   | Medical Board Organization & Authority                            | Amended       | AB             | 1869               | Abolishes the Medical Board of California and other various boards and committees regulating practitioners of the healing arts and transfers all of their respective duties, responsibilities, obligations, liabilities, and jurisdiction to the Department of Consumer Affairs. The Osteopathic Medical Board of California remains a separate entity from the Department.  |
| California   | Miscellaneous   | Amended       | SB             | 1640               | Revises the pilot project to allow qualified district hospitals to employ a physician and surgeon, if the hospital does not interfere with, control, or otherwise direct the professional judgment of the physician and surgeon, to authorize the direct employment by general acute care hospitals meeting specified requirements of an unlimited number of physicians and surgeons under the pilot project, and would authorize such a hospital to employ up to five licensees at a time.  |
| California   | Miscellaneous   | Pending       | AB             | 2821               | Repeals the specific annual dollar limit on gifts, promotional materials, or items or activities that may be given or provided by a pharmaceutical company to a physician and instead, prohibits any pharmaceutical company, or agent thereof, from offering or giving a gift, or combination of gifts, that have a total value of more than \$250 to a medical or health professional. Every pharmaceutical company would have to annually file a report that identifies all permitted gifts, financial support, payments, honoraria, or other compensation paid to medical or health professionals during the proceeding year. |
| California   | Miscellaneous   | Amended       | AB             | 2794               | Prohibits a healing arts practitioner from charging, billing, or soliciting payment from any patient, client, or 3rd-party payer for performance of the technical component of specified diagnostic imaging services not rendered by the licensees or persons under their personal supervision.  |
| California   | Telemedicine  | Pending       | AB             | 2721               | Declares the intent of the legislature to create a California Telemedicine Task Force to look into telemedicine reimbursement issues and clarify the Telemedicine Act of 1996 to require all payers to provide a payment mechanism for telemedicine and specify their reimbursement policies in writing.   |

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| California   | Emergency Preparedness                  | Amended       | AB             | 64                 | Enacts the Uniform Emergency Volunteer Healthcare Practitioners Act. The Act would allow a practitioner to volunteer their services during a time of emergency if they are licensed and in good standing in another state. Their licensure status must be verified by a volunteer health practitioner registration system.  |
| California   | Medical Board Organization & Authority  | Amended       | SB             | 797                | Extends certain provisions of the Health Quality Enforcement Section of the Department of Justice and who has the primary responsibility of investigating and prosecuting proceedings against licensees and applicants within the jurisdiction of the Medical Board of California, as inoperative on July 1, 2010, and repeal them on January 1, 2011. The bill specifies that an investigator is not under the supervision of the deputy attorney general simultaneously assigned to the complaint, and would require the medical board to increase its computer capabilities and compatibilities with the Health Quality Enforcement Section.   |
| California   | Medical Errors/Patient Safety           | Failed        | SB             | 743                | Requires every licensed general acute care hospital, licensed acute psychiatric hospital, or special hospital, by January 1, 2009, to conduct an assessment of its processes for detecting, reporting, and remediating preventable medical errors, and to prepare a plan for reducing the prevalence of those errors.   |
| California   | Pain Management/Prescription Monitoring | Failed        | AB             | 374                | Allows an adult who is suffering from a terminal disease to make a request for medication to obtain life-ending medication to his or her attending physician and states that an attending physician who in good faith compliance with this chapter is not being neglectful of the patient.  |
| California   | Telemedicine                            | Amended       | AB             | 2120               | Extends from January 1, 2009 to January 1, 2013, language authorizing the Medi-Cal program to utilize certain telemedicine practices.   |
| Guam         | Telemedicine                            | Pending       | B              | 245                | States that a licensed physician who resides outside of Guam is not subject to Guam medical licensure requirements where said licensed physician is providing consultation to a Guam licensed physician through the use of telemedicine technology if certain conditions are met.   |
| Hawaii       | Miscellaneous                           | Amended       | HB             | 2776               | Defines physician-patient relationship and requires that, at a minimum, the treating physician or physician's designated member of the health care team personally perform a face-to-face history and physical examination of the patient, makes a diagnosis and formulates a therapeutic plan, or personally treats a specific injury or condition, discusses with the patient the diagnosis or treatment, including the benefits of other treatment options, and ensures the availability of appropriate follow-up care. States that it is unlawful for any person who is a practitioner to predate or pre-sign prescriptions to facilitate the obtaining or attempted obtaining of controlled substances, or who is a practitioner to facilitate the issuance or distribution of a written prescription or to issue an oral prescription for a controlled substance when not physically in the state. Further, it is unlawful for any person to administer, prescribe, or knowingly dispense any controlled substance without a bona fide physician-patient relationship. Any person who violates this section is guilty of a class C felony. Any person who violates this chapter or any rule adopted pursuant to this chapter shall be fined not more than \$10,000 for each separate offense as a civil action. |

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| Hawaii       | Medical Malpractice   | Amended       | HB             | 2151               | Establishes the medical malpractice captive insurance company to provide medical malpractice insurance coverage to licensed self-employed medical doctors at the lowest possible cost.  |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 2570               | Provides a limitation on noneconomic damages in medical tort actions against a health care provider.  |
| Hawaii       | Medical Malpractice   | Pending       | SB             | 2354               | Provides a limitation on noneconomic damages in medical tort actions against a health care provider.  |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 2631               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$500,000.  |
| Hawaii       | Medical Malpractice   | Pending       | SB             | 2942               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$500,000   |
| Hawaii       | Emergency Preparedness  | Pending       | HB             | 2424               | Creates a section detailing emergency volunteer health practitioner standards, including establishing a system for registering such practitioners.  |
| Hawaii       | Miscellaneous   | Pending       | SB             | 2928               | Prohibits all forms of discrimination, disqualification, coercion, disability, or liability upon such healthcare providers, institutions and payers that decline to perform any health care service that violates their conscience.   |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Pending       | HB             | 2414               | Allows the Department of Health to pay a percentage of the costs of professional liability insurance for a physician with a qualified practice in a health professional shortage area of the state equal to that percentage of the physician's patients residing in a health professional shortage area whose services are compensated by receipts from the Medicaid program.   |
| Hawaii       | Miscellaneous   | Amended       | SB             | 2460               | Defines physician-patient relationship and requires that, at a minimum, the treating physician or physician's designated member of the health care team personally perform a face-to-face history and physical examination of the patient, makes a diagnosis and formulates a therapeutic plan, or personally treats a specific injury or condition, discusses with the patient the diagnosis or treatment, including the benefits of other treatment options, and ensures the availability of appropriate follow-up care. States that it is unlawful for any person who is a practitioner to predate or pre-sign prescriptions to facilitate the obtaining or attempted obtaining of controlled substances, or who is a practitioner to facilitate the issuance or distribution of a written prescription or to issue an oral prescription for a controlled substance when not physically in the state. Further, it is unlawful for any person to administer, prescribe, or knowingly dispense any controlled substance without a bona fide physician-patient relationship. Any person who violates this section is guilty of a class C felony. Any person who violates this chapter or any rule adopted pursuant to this chapter shall be fined not more than \$10,000 for each separate offense as a civil action. |
| Hawaii       | Managed Care  | Pending       | HB             | 2836               | Establishes a new, non-judicial external review procedure by which patients may challenge a health plan's final, internal denial of coverage.   |
| Hawaii       | Miscellaneous   | Pending       | HB             | 2871               | Appropriates funds to the University of Hawaii to study the medical efficacy of marijuana in its various forms of delivery, including the reclassification of medical marijuana as a schedule III controlled substance.   |

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| Hawaii       | Medical Errors/Patient Safety                                     | Pending       | HB             | 2878               | Establishes direct care registered nurse-to-patient staffing requirements in health care facilities for the purpose of ensuring patient safety and quality health care.   |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 3102               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$250,000.  |
| Hawaii       | Medical Malpractice   | Pending       | SB             | 3024               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$250,000.  |
| Hawaii       | Miscellaneous   | Pending       | HB             | 2741               | Prohibits all forms of discrimination, disqualification, coercion, disability, or liability upon such healthcare providers, institutions and payers that decline to perform any health care service that violates their conscience.   |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Amended       | HB             | 2393               | Creates the Hawaii Medical Doctor Loan Program to provide financial support to students who complete a state-approved medical school program at the University of Hawaii and who agree to practice in rural areas of the state.   |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 2161               | Establishes the medical malpractice captive insurance company to provide medical malpractice insurance coverage to licensed self-employed medical doctors at the lowest possible cost.  |
| Hawaii       | Scope of Practice   | Pending       | SB             | 2531               | Allows appropriately trained and supervised licensed medical psychologists practicing in federally qualified health centers to prescribe psychotropic medications for the treatment of mental illness.  |
| Hawaii       | Scope of Practice   | Pending       | HB             | 2411               | Allows appropriately trained and supervised licensed medical psychologists practicing in federally qualified health centers to prescribe psychotropic medications for the treatment of mental illness.  |
| Hawaii       | Medical Malpractice   | Pending       | SB             | 2788               | Establishes a two-year medical malpractice court pilot project to test this method of reducing time and expense involved in the litigation of medical malpractice claims.   |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 2405               | Establishes a two-year medical malpractice court pilot project to test this method of reducing time and expense involved in the litigation of medical malpractice claims.   |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Amended       | HB             | 2519               | Requires the legislative research bureau to research the actions, programs, or approaches other jurisdictions have taken to address physician and dentist shortages including student loan repayment and stipend programs. The bureau shall submit a report of its findings and recommendations and any proposed legislation to the legislature not later than twenty days prior to the convening of the regular session of 2009. |
| Hawaii       | Medical Malpractice   | Amended       | HB             | 1992               | Provides a limitation on noneconomic damages in medical tort actions against a health care provider.  |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 2232               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$250,000.  |

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| Hawaii       | Medical Malpractice   | Pending       | HB             | 2284               | Limits noneconomic damages in an action for a medical tort to a maximum award of \$500,000 per person or \$1,000,000 per occurrence. Damages recoverable for pain and suffering shall be limited in an action for a medical tort to a maximum of \$250,000 per person, three times a person's economic loss to a maximum award of \$400,000 per person, or \$500,000 per occurrence.  |
| Hawaii       | Scope of Practice   | Pending       | SB             | 1346               | Allows a licensed psychologist to perform court ordered mental or other medical observation and examination of a defendant who has been convicted of a felony or misdemeanor.   |
| Hawaii       | Scope of Practice   | Amended       | HB             | 1260               | Allows a licensed psychologist to perform court ordered mental or other medical observation and examination of a defendant who has been convicted of a felony or misdemeanor.   |
| Hawaii       | Medical Board Organization & Authority                            | Pending       | HB             | 3105               | Revises laws governing the practice of osteopathy. Requires osteopathic physicians to meet the CME requirements by obtaining credit hours in a category IA CME program approved by the AOA, in a CME activity designated for category I by an AMA accredited provider, or in other approved CME. An applicant for an initial osteopathic license may also take the COMLEX or NBOME examination, or, if from another state, may have passed the COMVEX or SPEX examinations. Amends the definition of unprofessional conduct to include reference to osteopathic physicians.                       |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Amended       | HB             | 2413               | Creates an income tax credit for physicians who practice in medically underserved areas.  |
| Hawaii       | Scope of Practice   | Pending       | SB             | 2415               | Allows appropriately trained and supervised licensed medical psychologists practicing in federally qualified health centers to prescribe psychotropic medications for the treatment of mental illness.  |
| Hawaii       | Medical Malpractice   | Pending       | HB             | 1995               | Limits noneconomic damages in medical tort actions against a health care provider to a maximum award of \$500,000.  |
| Hawaii       | Physician Practice  | Pending       | SB             | 2633               | Requires every physician to report immediately in writing to the respective county examiner of drivers every patient age fifteen years or older whose dementing illness affects that person's ability to safely operate a motor vehicle.  |
| Hawaii       | Complementary and Alternative Medicine                            | Pending       | SCR            | 198                | Requests the Governor, the Director of Health, the Director of Commerce and Consumer Affairs, and all others working in the health care field, to work together to integrate all licensed health care providers, including naturopathic, acupuncture, and eastern medicine practitioners, into the continuum of available health care options for residents of Hawaii. Further, those mentioned above are requested to remove all barriers that may impede the integration of all licensed health care providers into the continuum of available health care options for the residents of Hawaii. |
| Hawaii       | Managed Care  | Pending       | HR             | 127                | Urges health insurers to provide coverage for fees charged for letters provided by a physician as verification of a patient's disability or other condition for which substantiation is necessary.  |

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| Hawaii       | Medical Malpractice   | Amended       | HCR            | 349                | Requests the Legislative Reference Bureau to study the effects of medical tort reform on access to health care, and to review available information concerning the benefits and burdens to states that have adopted medical tort reform, or medical liability reform  |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Pending       | HCR            | 314                | Urges the University of Hawaii to establish a rehabilitative and related services graduate school loan program within its Center on Disability Studies to provide financial support to individuals who complete graduate programs in the fields of physical therapy, occupational therapy, speech language pathology, or school psychology, and to provide educational loan forgiveness based upon employment in Hawaii with the State or another qualifying institution following completion of the graduate program.  |
| Hawaii       | Medical Board Organization & Authority                            | Passed        | SB             | 3027               | Revises laws governing the practice of osteopathy. Requires osteopathic physicians to meet the CME requirements by obtaining credit hours in a category IA CME program approved by the AOA, in a CME activity designated for category I by an AMA accredited provider, or in other approved CME. An applicant for an initial osteopathic license may also take the COMLEX or NBOME examination, or, if from another state, may have passed the COMVEX or SPEX examinations. Amends the definition of unprofessional conduct to include reference to osteopathic physicians.   |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Pending       | HB             | 3438               | States that any physician, dentist, or licensed health care organization that provides medical or dental care without remuneration or expectation of remuneration to indigent persons shall not be liable for any civil damages related to the free services provided.  |
| Hawaii       | Telemedicine  | Passed        | HR             | 119                | Requests the University of Hawaii John A. Burns School of Medicine's Telehealth Research Institute to form a task force to explore the feasibility of further implementation of the telemedicine systems so that citizens of Hawaii may benefit from it and to examine issues regarding telemedicine. The task force is requested to submit a preliminary report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2009, and a final report of its findings and recommendations, including any necessary proposed legislation not later than twenty days prior to the convening of the Regular Session of 2010. |
| Hawaii       | Complementary and Alternative Medicine                            | Pending       | SCR            | 197                | Requests the Director of Health and the Director of Commerce and Consumer Affairs to recognize that the practice of naturopathy includes the use of injections for administering certain natural medicines and may be performed by a duly licensed naturopathic physician.  |
| Hawaii       | Electronic & Internet Prescribing                                 | Amended       | SB             | 1487               | States that to establish a physician-patient relationship, the treating physician or the physician's designated member of the health care team, must at a minimum personally perform a face-to-face history and physical examination of the patient, make a diagnosis and formulate a therapeutic plan, discuss with the patient the diagnosis or treatment, and ensure the availability of appropriate follow-up care. States that it is unlawful for any person subject to this act except a pharmacist, to administer, prescribe, or dispense any controlled substance without a bona fide physician-patient relationship.   |

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| Hawaii       | Medical Malpractice                     | Amended       | HB             | 2291               | Requires health insurers, after receiving a claim for the payment of benefits, to make direct payment to the healthcare provider that provided the service and limits the amount of noneconomic damages in medical tort actions.  |
| Hawaii       | Managed Care                            | Pending       | HCR            | 148                | Urges health insurers to provide coverage for fees charged for letters provided by a physician as verification of a patient's disability or other condition for which substantiation is necessary.  |
| Hawaii       | Medical Errors/Patient Safety           | Pending       | SB             | 2781               | Establishes direct care registered nurse-to-patient staffing requirements in health care facilities for the purpose of ensuring patient safety and quality health care.   |
| Hawaii       | Medical Malpractice                     | Pending       | HB             | 3361               | Limits noneconomic damages in medical tort actions against obstetricians, obstetrician gynecologists, and trauma care providers to a maximum award of \$500,000.  |
| Hawaii       | Scope of Practice                       | Amended       | HB             | 3229               | Provides for chiropractic coverage under medical assistance programs.   |
| Hawaii       | Scope of Practice                       | Amended       | HB             | 3231               | Provides for chiropractic coverage under medical assistance programs.   |
| Hawaii       | Pain Management/Prescription Monitoring | Amended       | HB             | 3242               | Promotes better quality of life for many individuals through pain relief by clarifying the provisions for prescribing opiate medication for pain treatment. Also stipulates that a schedule II controlled substance prescription be filled within seven days of issue, instead of three as currently required.  |
| Hawaii       | Pain Management/Prescription Monitoring | Amended       | SB             | 2157               | Clarifies a patient's right to be prescribed controlled substances to relieve pain. Also stipulates that a schedule II controlled substance prescription be filled within seven days of issue, instead of three as currently required. Establishes the Hawaii health corps to provide loan repayment for physicians and dentists who agree to work at least five years as a physician in health professional shortage areas of the state, and as first responders during civil defense and other emergencies. Provides stipends for physicians and dentists who agree to provide services in health professional shortage areas of the state, and as first responders during civil defense and other emergencies. |

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| Hawaii       | Medical Board Organization & Authority                            | Pending       | HB             | 3245               | Requires the Board of Medical Examiners to create individual profiles on licensees for dissemination to the public. Information to be included in the profiles includes: criminal convictions for felonies and serious misdemeanors within the most recent ten years; final board disciplinary actions in state and elsewhere for the most recent ten years; revocation or involuntary restriction of hospital privileges in the most recent ten years; all medical malpractice court judgments or arbitration awards during the most recent ten years; medical schools and dates of graduation; graduate medical education; specialty board certification; number of years in practice; names of hospitals with privileges; appointments to medical school faculties; publications in peer-reviewed medical literature; professional or community service activities and awards; primary practice setting location; translating services offered; and an indication of whether the licensee participates in the Medicaid program. Also revises the requirements for entities required to report to the board regarding the professional conduct and capacity of physicians and surgeons. |
| Hawaii       | Miscellaneous   | Amended       | SCR            | 33                 | Requests the Department of Health, the Executive Office on Aging, the Department of Human Services, and the State Health Planning and Development Agency to continue their work on the long term living initiative.   |
| Hawaii       | Physician Practice  | Pending       | HB             | 3353               | Requires every health care provider who assumes responsibility for prenatal care of pregnant women and at delivery to test pregnant women for HIV except in cases where the woman refuses the testing. Any person or institution who willfully violates any provision of this section shall be fined not less than \$1,000 nor more than \$10,000 for each violation.   |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Pending       | SB             | 2590               | Provides an opportunity for physicians who have graduated from the University of Hawaii John A. Burns School of Medicine and completed their residency to repay their debt by serving in rural communities for a total of two years. If a person has obtained a license to practice in another state, that person shall first obtain a license to practice medicine prior to working in the state to fulfill the obligations of this subsection.  |
| Hawaii       | Telemedicine  | Amended       | HCR            | 138                | Requests the University of Hawaii John A. Burns School of Medicine's Telehealth Research Institute to form a task force to explore the feasibility of further implementation of the telemedicine systems so that citizens of Hawaii may benefit from it and to examine issues regarding telemedicine. The task force is requested to submit a preliminary report of its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2009, and a final report of its findings and recommendations, including any necessary proposed legislation not later than twenty days prior to the convening of the Regular Session of 2010.   |
| Hawaii       | Medical Malpractice   | Pending       | SB             | 2412               | Provides a limitation on noneconomic damages in medical tort actions against a health care provider.  |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Amended       | SCR            | 35                 | Requests the Maui Health Initiative Task Force and the Maui Long Term Care Partnership submit the recommendations resulting from their comprehensive needs assessment to the Long Term Care Commission to develop a home- and community-based model of services for Hawaii.   |

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| Hawaii       | Miscellaneous   | Failed        | SB             | 2534               | Requires the Board of Pharmacy to develop criteria for a standardized tamper-resistant prescription pad that can be used by all health care providers who prescribe drugs. Further, before December 31 of each year, every pharmaceutical manufacturing company shall disclose to the Board the value, nature, and purpose of any gift, fee, payment, subsidy, or other economic benefit provided in connection with detailing, promotional, or other marketing activities by the company to any physician, hospital, nursing home, pharmacist, health benefits plan administrator, or any other person authorized to prescribe, dispense, or sell prescription drugs. |
| Hawaii       | Extending Health Care Services to Underserved Patient Populations | Pending       | SB             | 2589               | Establishes and appropriates funds for a rural medical practice loan repayment program for licensed physicians who participate in the family practice residency program and who commit to practice medicine for five years in rural areas on the neighbor islands.   |
| Oregon       | Scope of Practice   | Passed        | SB             | 1062               | SB 1062a<br>States that a certified nurse practitioner or certified clinical nurse specialist granted the privilege of writing prescriptions may issue prescriptions for controlled substances listed in schedules II through V. Previously, the Board of Nursing issued a formulary for such prescribers.   |
| Oregon       | Telemedicine  | Failed        | SB             | 1100               | SB 1100a<br>States the Director of Human Services may by rule adopt rates and requirements for reimbursing health professionals for telemedical physical health services provided to recipients of state medical assistance. Further, a health insurer must reimburse a person insured under a policy of health insurance for a service provided using telemedicine in certain instances.  |
| Utah         | Scope of Practice   | Failed        | HB             | 276                | Authorizes a physician assistant or nurse practitioner to state or certify cause of death, and complete and sign a death certificate. Further allows a physician assistant or nurse practitioner to certify that a person has a disability for purposes of obtaining a disability special group license plate, a temporary removable windshield placard, or a removable windshield placard from the Motor Vehicle Division.  |
| Utah         | Emergency Preparedness  | Passed        | HB             | 277                | Provides that an entity that allows a governmental agency or political subdivision to use its building to provide drugs or vaccines during certain declared public health emergencies is protected from liability during the public health emergency.  |
| Utah         | Emergency Preparedness  | Passed        | SB             | 66                 | Enacts the Uniform Emergency Volunteer Healthcare Practitioners Act. The Act would allow a practitioner to volunteer their services during a time of emergency if they are licensed and in good standing in another state. Their licensure status must be verified by a volunteer health practitioner registration system.   |
| Utah         | Scope of Practice   | Failed        | HB             | 477                | Establishes the Anesthesiologist Assistant Licensing Board to license anesthesiology assistants and defines the practice of anesthesiologist assistant.  |
| Utah         | Scope of Practice   | Passed        | HB             | 399                | Amends the definition of practice as a medication aide certified.  |
| Utah         | Scope of Practice   | Passed        | SB             | 93                 | Amends the definition of practice of licensed direct-entry midwife.  |

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| Utah         | Medical Malpractice | Failed        | HB             | 191                | Relates to medical malpractice arbitration.  |
| Utah         | Telemedicine        | Passed        | HB             | 16                 | States that on or after July 1, 2008, communication by telemedicine is considered face to face contact between a health care provider and a patient under the state's medical assistance program under certain circumstances.  |
| Utah         | Miscellaneous       | Failed        | HB             | 418                | Relates to physician education enhancements.   |
| Utah         | Telemedicine        | Passed        | HB             | 24                 | Amends the Digital Health Service Commission Act to remove reference to telehealth and instead focus on digital health services. Digital health services are defined as the electronic transfer, exchange, or management of related data for diagnosis, treatment, consultation, educational, public health, or other related purposes.  |
| Utah         | Physician Practice  | Failed        | HB             | 100                | Changes the maximum supply of a controlled substance that may be prescribed at any one time from a 30 day supply to a 90 day supply, and removes the authority of a prescriber to distribute three different post dated prescriptions for the same controlled substance.   |
| Washington   | Scope of Practice   | Failed        | HB             | 2935               | States that in industrial insurance benefits decisions, if the department contracts with a utilization review vendor for physical therapy services and the vendor's recommendation is not received within forth-eight hours of the request, the department shall pay the physical therapy provider for any visits by the injured worker that occur while the vendor's recommendation is pending. |
| Washington   | Miscellaneous       | Failed        | SB             | 6302               | Requires pharmaceutical manufacturers to disclose to the Board of Pharmacy on each gift, fee, or payment made to recipients in the state, and to submit information on a form and manner determined by the Board, starting January 1, 2009, and annually thereafter. Recipients include health care professionals.   |
| Washington   | Scope of Practice   | Failed        | HB             | 2497               | Repeals limitations on dispensing Schedules II through IV controlled substances for advanced registered nurse practitioners.   |

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| Washington   | Emergency Preparedness | Failed        | SB             | 6506               | Creates the Medical Board for Safety and Quality and dissolves the Medical Quality Assurance Commission. Transfers current duties and powers of the Commission to the Medical Board. Grants the Medical Board the ability to adopt guidelines, rules governing the administration of sedation and anesthesia, sanctioning guidelines, certain programs and policies, and a disaster recovery and business continuity plan. Establishes the method for choosing the Medical Board's executive director and establishes that person's powers. Creates the Medical Professions Account within the state treasury and states that the Medical Board is in charge of its own monies. Requires the Medical Board to establish a Physician Education and Improvement Program to improve patient safety and the quality of patient care. Creates the Medical Disciplinary Act with procedures and processes unique to the medical profession and the creation of a separate independent medical review body responsible for ruling on medical disciplinary cases. Establishes the power of the Board to issue summary suspensions, and requires every license holder to report to the Board any conviction, determination, or finding that another license holder has committed an act which constitutes unprofessional conduct. Establishes procedures for retired volunteer medical workers to provide care during an emergency or disaster. Requires applicants for licensure to have completed three years of postgraduate medical training, where the current stipulation is for two years. Requires the Medical Board to establish requirements for each applicant for an initial license to obtain a state background check prior to the issuance of any license. The Board may require an applicant to obtain an electronic fingerprint-based national background check in certain situations. |
| Washington   | Miscellaneous          | Failed        | HB             | 2494               | Requires the Department of Health to develop a simple medical order form and education program for documenting a person's life-sustaining and emergency treatment preferences which clearly indicates resuscitate or do not resuscitate and other choices for life-sustaining and emergency treatment or related comfort care that shall be followed by emergency medical personnel. Any provider who, in good faith, provides, withholds, or withdraws life-sustaining treatment, emergency treatment including resuscitate or do not resuscitate, or related comfort care from a person in accordance with the directions stated on a medical order form shall be immune from civil or criminal liability, including professional conduct sanctions.   |
| Washington   | Scope of Practice      | Passed        | HB             | 2475               | Allows health care assistants to administer certain vaccines and immunizations under supervision from designated health care practitioners.  |
| Washington   | Physician Practice     | Passed        | HB             | 2431               | Requires all persons licensed or certified to provide prenatal care or to practice medicine to provide information to all pregnant women in their care regarding: (a) the use and availability of prenatal tests; and (b) using objective and standardized information: (i) the differences between and potential benefits and risks involved in public and private cord blood banking that is sufficient to allow a pregnant woman to make an informed decision before her third trimester of pregnancy on whether to participate in a private or public cord blood banking program, and (ii) the opportunity to donate, to a public cord blood bank, blood and tissue extracted from the placenta and umbilical cord following delivery of a newborn child.  |

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| Washington   | Medical Board Organization & Authority                            | Passed        | HB             | 1103               | Revises powers of a disciplining authority. Disciplining authorities shall have the power to consider an application for a license, issue citations and assess fines for failure to produce documents, records, or other items, provide a show cause hearing within fourteen days of request by an affected license holder, and to restrict or place conditions on the practice of new licensees. States that with regard to complaints that only allege that a license holder has committed an act or acts of unprofessional conduct involving sexual misconduct, the Secretary of Health shall serve as the sole disciplining authority in every aspect of the disciplinary process. States that every license holder, corporation, organization, health care facility, and state and local governmental agency that employs a license holder shall report to the disciplining authority when any license holder's services have been terminated or restricted based upon a final determination that the license holder has committed an act or acts that may constitute unprofessional conduct. Authorizes the disciplining authority to order permanent revocation of a license if it finds that the license holder can never be rehabilitated or can never regain the ability to practice with reasonable skill and safety. Allows a member of a health profession board or commission to express their professional opinions to an elected official about the work of the board or commission, even if those opinions differ from the Department of Health's official position. Requires the Medical Quality Assurance Commission to conduct a pilot project to evaluate the effect of granting the Commission additional authority over budget development, spending, and staffing, to begin on July 1, 2008, and conclude on June 30, 2013. Requires each applicant for an initial license to obtain a state background check prior to the issuance of any license. The Department of Health may require an applicant to undergo an electronic fingerprint-based national background check. |
| Washington   | Extending Health Care Services to Underserved Patient Populations | Passed        | SB             | 6333               | Establishes the Citizens' Work Group on Health Care to examine options for improving access to quality, affordable health care.   |
| Washington   | Medical Board Organization & Authority                            | Failed        | HB             | 2816               | Requires the Board of Osteopathic Medicine and Surgery to adopt rules to identify those instruments or categories of instruments that are prohibited for use by an osteopathic physician or surgeon or osteopathic physician's assistant for treatment or diagnostic evaluation. The Medical Quality Assurance Commission is required to adopt similar rules pertaining to a physician or surgeon or physician assistant.   |

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| Washington   | Medical Board Organization & Authority | Failed        | HB             | 2883               | Grants disciplining authorities the ability to grant a license subject to conditions in certain circumstances. Further, a disciplining authority may issue citations and assess fines for failure of a licensee to produce documents, records, or other items within twenty-one days of the request. It may also restrict or place conditions on the practice of new licensees in order to protect the public and promote the safety and confidence in the health care system. Further, surrender or revocation of a license is not subject to a petition for reinstatement. The Secretary of Health is authorized to receive criminal history record information that includes nonconviction data for any purpose associated with investigation or licensing and investigate the complete criminal history and pending charges of all applicants and licensees. The Department of Health shall require fingerprints for purposes of conducting a national criminal history records check. |
| Washington   | Medical Board Organization & Authority | Failed        | SB             | 6458               | Grants disciplining authorities the ability to grant a license subject to conditions in certain circumstances. Further, a disciplining authority may issue citations and assess fines for failure of a licensee to produce documents, records, or other items within twenty-one days of the request. It may also restrict or place conditions on the practice of new licensees in order to protect the public and promote the safety and confidence in the health care system. Further, surrender or revocation of a license is not subject to a petition for reinstatement. The Secretary of Health is authorized to receive criminal history record information that includes nonconviction data for any purpose associated with investigation or licensing and investigate the complete criminal history and pending charges of all applicants and licensees. The Department of Health shall require fingerprints for purposes of conducting a national criminal history records check. |

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| Washington   | Resident Licensure/Minimum Standards for Postgraduate Training | Failed        | HB             | 2906               | Creates the Medical Board for Safety and Quality and dissolves the Medical Quality Assurance Commission. Transfers current duties and powers of the Commission to the Medical Board. Grants the Medical Board the ability to adopt guidelines, rules governing the administration of sedation and anesthesia, sanctioning guidelines, certain programs and policies, and a disaster recovery and business continuity plan. Establishes the method for choosing the Medical Board's executive director and establishes that person's powers. Creates the Medical Professions Account within the state treasury and states that the Medical Board is in charge of its own monies. Requires the Medical Board to establish a Physician Education and Improvement Program to improve patient safety and the quality of patient care. Creates the Medical Disciplinary Act with procedures and processes unique to the medical profession and the creation of a separate independent medical review body responsible for ruling on medical disciplinary cases. Establishes the power of the Board to issue summary suspensions, and requires every license holder to report to the Board any conviction, determination, or finding that another license holder has committed an act which constitutes unprofessional conduct. Establishes procedures for retired volunteer medical workers to provide care during an emergency or disaster. Requires applicants for licensure to have completed three years of postgraduate medical training, where the current stipulation is for two years. Requires the Medical Board to establish requirements for each applicant for an initial license to obtain a state background check prior to the issuance of any license. The Board may require an applicant to obtain an electronic fingerprint-based national background check in certain situations. |

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| Washington   | Emergency Preparedness  | Failed        | HB             | 2906               | Creates the Medical Board for Safety and Quality and dissolves the Medical Quality Assurance Commission. Transfers current duties and powers of the Commission to the Medical Board. Grants the Medical Board the ability to adopt guidelines, rules governing the administration of sedation and anesthesia, sanctioning guidelines, certain programs and policies, and a disaster recovery and business continuity plan. Establishes the method for choosing the Medical Board's executive director and establishes that person's powers. Creates the Medical Professions Account within the state treasury and states that the Medical Board is in charge of its own monies. Requires the Medical Board to establish a Physician Education and Improvement Program to improve patient safety and the quality of patient care. Creates the Medical Disciplinary Act with procedures and processes unique to the medical profession and the creation of a separate independent medical review body responsible for ruling on medical disciplinary cases. Establishes the power of the Board to issue summary suspensions, and requires every license holder to report to the Board any conviction, determination, or finding that another license holder has committed an act which constitutes unprofessional conduct. Establishes procedures for retired volunteer medical workers to provide care during an emergency or disaster. Requires applicants for licensure to have completed three years of postgraduate medical training, where the current stipulation is for two years. Requires the Medical Board to establish requirements for each applicant for an initial license to obtain a state background check prior to the issuance of any license. The Board may require an applicant to obtain an electronic fingerprint-based national background check in certain situations. |
| Washington   | Physician Practice  | Failed        | HB             | 2691               | Establishes when it is acceptable and not acceptable for a health care practitioner to refer a patient to a health care entity in which the practitioner owns a beneficial interest.   |
| Washington   | Scope of Practice   | Failed        | HB             | 2667               | Allows a registered nurse to delegate tasks related to diabetes care to registered or certified nursing assistants.  |
| Washington   | Scope of Practice   | Failed        | HB             | 3018               | Defines psychiatric advanced registered nurse practitioner and establishes their scope of practice.  |
| Washington   | Scope of Practice   | Failed        | SB             | 6334               | Authorizes health care assistants to administer certain vaccines and immunizations.  |
| Washington   | Extending Health Care Services to Underserved Patient Populations | Failed        | SB             | 6360               | Establishes the Joint Legislative Task Force on Primary Care Medical Practice to examine ways to recruit and retain primary care physicians in the state   |

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| Washington   | Complementary and Alternative Medicine | Failed        | HB             | 2266               | States that nothing prohibits the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner, the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner under certain specified conditions, or the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner, as long as each person receiving such services signs a declaration of disclosure that includes an overview of the health care practitioner's education and states that the health care practitioner is not an M.D. or other licensed health care practitioner. |
| Washington   | Medical Errors/Patient Safety          | Failed        | SB             | 6734               | Establishes a mechanism whereby direct care nurses and hospital management shall participate in a joint process to identify and apply best practices related to patient safety and nurse retention, including nurse staffing. Requires each hospital, by September 1, 2008, to establish a nurse staffing committee to carry out the functions of this chapter.   |
| Washington   | Medical Errors/Patient Safety          | Passed        | HB             | 3123               | Establishes a mechanism whereby direct care nurses and hospital management shall participate in a joint process to identify and apply best practices related to patient safety and nurse retention, including nurse staffing. Requires each hospital, by September 1, 2008, to establish a nurse staffing committee to carry out the functions of this chapter.   |
| Washington   | Medical Errors/Patient Safety          | Failed        | HB             | 2670               | Requires medical facilities to submit a report to the Department of Health when it confirms that an adverse event has occurred, with notification of the event occurring within forty-eight hours, and a report of the event within forty-five days. The Department shall make available to the public the notification of adverse events.  |

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| Washington   | Resident Licensure/Minimum Standards for Postgraduate Training | Failed        | SB             | 6506               | Creates the Medical Board for Safety and Quality and dissolves the Medical Quality Assurance Commission. Transfers current duties and powers of the Commission to the Medical Board. Grants the Medical Board the ability to adopt guidelines, rules governing the administration of sedation and anesthesia, sanctioning guidelines, certain programs and policies, and a disaster recovery and business continuity plan. Establishes the method for choosing the Medical Board's executive director and establishes that person's powers. Creates the Medical Professions Account within the state treasury and states that the Medical Board is in charge of its own monies. Requires the Medical Board to establish a Physician Education and Improvement Program to improve patient safety and the quality of patient care. Creates the Medical Disciplinary Act with procedures and processes unique to the medical profession and the creation of a separate independent medical review body responsible for ruling on medical disciplinary cases. Establishes the power of the Board to issue summary suspensions, and requires every license holder to report to the Board any conviction, determination, or finding that another license holder has committed an act which constitutes unprofessional conduct. Establishes procedures for retired volunteer medical workers to provide care during an emergency or disaster. Requires applicants for licensure to have completed three years of postgraduate medical training, where the current stipulation is for two years. Requires the Medical Board to establish requirements for each applicant for an initial license to obtain a state background check prior to the issuance of any license. The Board may require an applicant to obtain an electronic fingerprint-based national background check in certain situations. |
| Washington   | Scope of Practice  | Failed        | SB             | 6756               | Defines the practice of genetic counseling and requires such practitioners to be licensed by the Department of Health.   |
| Washington   | Complementary and Alternative Medicine                         | Failed        | SB             | 6886               | Allows health care service practitioners who are not licensed, certified, or registered to provide access to health care services to individuals seeking such services. States that any alternative or complementary health care services that are not customarily within the practice of health professions or not included in the curriculum of the required education for those professions, is outside the scope of the profession and, therefore, outside the scope and jurisdiction of the professional quality assurance commissions or regulatory boards.  |
| Washington   | Scope of Practice  | Failed        | HB             | 3373               | States that no person may perform the nada protocol without having an endorsement issued by the Department of Health and establishes the meaning of nada protocol.   |

| <i>State</i> | <i>Issue</i>                           | <i>Status</i> | <i>LegType</i> | <i>Bill Number</i> | <i>Bill Summary</i>   |
|--------------|--|---------------|----------------|--------------------|---|
| Washington   | Complementary and Alternative Medicine | Failed        | SB             | 6034               | States that nothing prohibits the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner, the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner under certain specified conditions, or the provision of complementary and alternative health care treatments or the provision of health care advice regarding the human body and its functions by an unlicensed health care practitioner, as long as each person receiving such services signs a declaration of disclosure that includes an overview of the health care practitioner's education and states that the health care practitioner is not an M.D. or other licensed health care practitioner. |
| Washington   | Scope of Practice                      | Passed        | SB             | 6739               | Defines psychiatric advanced registered nurse practitioner and establishes their scope of practice.   |