
SENATE BILL 5162

State of Washington 64th Legislature 2015 Regular Session

By Senators Angel, Ranker, Bailey, Rivers, Keiser, and Parlette

1 AN ACT Relating to the practice of East Asian medicine; amending
2 RCW 18.06.140; and adding a new section to chapter 18.06 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.06
5 RCW to read as follows:

6 The Washington state East Asian medicine advisory committee is
7 established.

8 (1) The committee consists of five members, each of whom must be
9 a resident of the state of Washington. Four committee members must be
10 East Asian medicine practitioners licensed under this chapter who
11 have not less than five years' experience in the practice of East
12 Asian medicine and who have been actively engaged in practice within
13 two years of appointment. The fifth committee member must be
14 appointed from the public at large and must have an interest in the
15 rights of consumers of health services.

16 (2) The secretary shall appoint the committee members. Committee
17 members serve at the pleasure of the secretary. The secretary may
18 appoint members of the initial committee to staggered terms of one to
19 three years, and thereafter all terms are for three years. No member
20 may serve more than two consecutive full terms.

1 (3) The committee shall meet as necessary, but no less often than
2 once per year. The committee shall elect a chair and a vice chair. A
3 majority of the members currently serving constitutes a quorum.

4 (4) The committee shall advise and make recommendations to the
5 secretary on standards for the practice of East Asian medicine.

6 (5) Committee members must be compensated in accordance with RCW
7 43.03.240, including travel expenses in carrying out his or her
8 authorized duties in accordance with RCW 43.03.050 and 43.03.060.

9 (6) Committee members are immune from suit in an action, civil or
10 criminal, based on the department's disciplinary proceedings or other
11 official acts performed in good faith.

12 **Sec. 2.** RCW 18.06.140 and 2010 c 286 s 9 are each amended to
13 read as follows:

14 (1) (~~Every person licensed under this chapter shall develop a~~
15 ~~written plan for consultation, emergency transfer, and referral to~~
16 ~~other health care practitioners operating within the scope of their~~
17 ~~authorized practices. The written plan shall be submitted with the~~
18 ~~initial application for licensure as well as annually thereafter with~~
19 ~~the license renewal fee to the department. The department may~~
20 ~~withhold licensure or renewal of licensure if the plan fails to meet~~
21 ~~the standards contained in rules adopted by the secretary.~~

22 (2)) When a person licensed under this chapter sees patients
23 with potentially serious disorders such as cardiac conditions, acute
24 abdominal symptoms, and such other conditions, the practitioner shall
25 immediately request a consultation or recent written diagnosis from a
26 primary health care provider licensed under chapter 18.71, 18.57,
27 18.57A, 18.36A, or 18.71A RCW or RCW 18.79.050. In the event that the
28 patient with the disorder refuses to authorize such consultation or
29 provide a recent diagnosis from such primary health care provider,
30 East Asian medical treatments, including acupuncture, may only be
31 continued after the patient signs a written waiver acknowledging the
32 risks associated with the failure to pursue treatment from a primary
33 health care provider. The waiver must also include: (a) An
34 explanation of an East Asian medicine practitioner's scope of
35 practice, including the services and techniques East Asian medicine
36 practitioners are authorized to provide and (b) a statement that the
37 services and techniques that an East Asian medicine practitioner is
38 authorized to provide will not resolve the patient's underlying

1 potentially serious disorder. The requirements of the waiver shall be
2 established by the secretary in rule.

3 (~~(3)~~) (2) A person violating this section is guilty of a
4 misdemeanor.

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