

into under RCW 28B.15.756 and shall transmit copies of their review to the governor and the appropriate policy and fiscal committees of the legislature. ~~((In addition, the board shall make recommendations to the legislature on the continuation or termination of the authorization contained in this section not later than January, 1987.))~~

NEW SECTION. Sec. 4. Section 6, chapter 166, Laws of 1983, section 78, chapter 370, Laws of 1985 (uncodified) is repealed.

NEW SECTION. Sec. 5. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1987.

Passed the House April 21, 1987.

Passed the Senate April 7, 1987.

Approved by the Governor May 18, 1987.

Filed in Office of Secretary of State May 18, 1987.

CHAPTER 447

[Substitute Senate Bill No. 5219]

NATUROPATHIC PHYSICIANS—LICENSING REQUIREMENTS

AN ACT Relating to naturopathic physicians; amending RCW 18.06.050 and 18.100.140; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; adding new sections to chapter 43.131 RCW; repealing RCW 18.36.010, 18.36.020, 18.36.030, 18.36.040, 18.36.050, 18.36.060, 18.36.115, 18.36.120, 18.36.130, 18.36.136, 18.36.165, 18.36.170, 18.36.200, 18.36.210, 18.36.220, 18.36.230, 18.36.240, 18.36.245, 43.131.293, and 43.131.294; declaring an emergency; and providing for effective dates.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that it is necessary to regulate the practice of naturopaths in order to protect the public health, safety, and welfare. It is the legislature's intent that only individuals who meet and maintain minimum standards of competence and conduct may provide service to the public.

NEW SECTION. Sec. 2. (1) No person may practice naturopathy or represent himself or herself as a naturopath without first applying for and receiving a license from the director to practice naturopathy.

(2) A person represents himself or herself as a naturopath when that person adopts or uses any title or any description of services that incorporates one or more of the following terms or designations: Naturopath or doctor of naturopathic medicine.

NEW SECTION. Sec. 3. Naturopathic medicine or naturopathy is the practice by naturopaths of the art and science of the diagnosis, prevention, and treatment of disorders of the body by stimulation or support, or both, of the natural processes of the human body. A naturopath is responsible and accountable to the consumer for the quality of naturopathic care rendered.

The practice of naturopathy includes manual manipulation (mechanotherapy) until June 30, 1988, the prescription, administration, dispensing, and use, except for the treatment of malignancies or neoplastic disease, of nutrition and food science, physical modalities, homeopathy, certain medicines of mineral, animal, and botanical origin, hygiene and immunization, common diagnostic procedures, and suggestion; however, nothing in this chapter shall prohibit consultation and treatment of a patient in concert with a practitioner licensed under chapter 18.57 or 18.71 RCW.

The legislature shall review the practice of manual manipulation (mechanotherapy) by naturopaths before December 15, 1987, to determine whether the practice should be continued or modified.

NEW SECTION. Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) "Department" means the department of licensing.
- (2) "Director" means the director of licensing or the director's designee.
- (3) "Naturopath" means an individual licensed under this chapter.
- (4) "Committee" means the Washington state naturopathic practice advisory committee.
- (5) "Educational program" means a program preparing persons for the practice of naturopathy.
- (6) "Nutrition and food science" means the prevention and treatment of disease or other human conditions through the use of foods, water, herbs, roots, bark, or natural food elements.
- (7) "Manual manipulation" or "mechanotherapy" means manipulation of a part or the whole of the body by hand or by mechanical means.
- (8) "Physical modalities" means use of physical, chemical, electrical, and other noninvasive modalities including, but not limited to heat, cold, air, light, water in any of its forms, sound, massage, and therapeutic exercise.
- (9) "Homeopathy" means a system of medicine based on the use of infinitesimal doses of medicines capable of producing symptoms similar to those of the disease treated, as listed in the homeopathic pharmacopeia of the United States.
- (10) "Medicines of mineral, animal, and botanical origin" means medicines derived from animal organs, tissues, and oils, minerals, and plants administered orally and topically, excluding legend drugs with the following exceptions: Vitamins, minerals, whole gland thyroid, and substances as exemplified in traditional botanical and herbal pharmacopoeia, and nondrug contraceptive devices excluding interuterine devices. The use of intermuscular injections are limited to vitamin B-12 preparations and combinations when clinical and/or laboratory evaluation has indicated vitamin B-12 deficiency. The use of controlled substances is prohibited.

(11) "Hygiene and immunization" means the use of such preventative techniques as personal hygiene, asepsis, public health, and immunizations, to the extent allowed by rule and regulation.

(12) "Minor office procedures" means care incident thereto of superficial lacerations and abrasions, and the removal of foreign bodies located in superficial structures, not to include the eye; and the use of antiseptics and topical local anesthetics in connection therewith.

(13) "Common diagnostic procedures" means the use of venipuncture to withdraw blood, commonly used diagnostic modalities consistent with naturopathic practice, health history taking, physical examination, radiography, examination of body orifices excluding endoscopy, and laboratory medicine which obtains samples of human tissue products, including superficial scrapings but excluding procedures which would require surgical incision.

(14) "Suggestion" means techniques including but not limited to counseling, biofeedback, and hypnosis.

(15) "Radiography" means the ordering but not the interpretation of radiographic diagnostic studies and the taking and interpretation of standard radiographs.

NEW SECTION. Sec. 5. Nothing in this chapter shall be construed to prohibit or restrict:

(1) The practice of a profession by individuals who are licensed, certified, or registered under other laws of this state who are performing services within their authorized scope of practice;

(2) The practice of naturopathic medicine by an individual employed by the government of the United States while the individual is engaged in the performance of duties prescribed for him or her by the laws and regulations of the United States;

(3) The practice of naturopathic medicine by students enrolled in a school approved by the director. The performance of services shall be pursuant to a course of instruction or assignments from an instructor and under the supervision of the instructor. The instructor shall be a naturopath licensed pursuant to this chapter; or

(4) The practice of oriental medicine or oriental herbology, or the rendering of other dietary or nutritional advice.

NEW SECTION. Sec. 6. (1) In addition to any other authority provided by law, the director may:

(a) Adopt rules, in accordance with chapter 34.04 RCW, necessary to implement this chapter;

(b) Set all license, examination, and renewal fees in accordance with RCW 43.24.086;

(c) Establish forms and procedures necessary to administer this chapter;

(d) Determine the minimum education and experience requirements for licensure in conformance with section 9 of this act, including but not limited to approval of educational programs;

(e) Prepare and administer or approve the preparation and administration of examinations for licensure;

(f) Issue a license to any applicant who has met the education, training, and examination requirements for licensure and deny a license to applicants who do not meet the minimum qualifications for licensure; except that denial of licenses based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(g) Hire clerical, administrative, and investigative staff as needed to implement and administer this chapter and to hire individuals, including those licensed under this chapter, to serve as examiners or consultants as necessary to implement and administer this chapter;

(h) Maintain the official department record of all applicants and licensees;

(i) Determine whether alternative methods of training are equivalent to formal education, and establish forms, procedures, and criteria for evaluation of an applicant's equivalent alternative training to determine the applicant's eligibility to take the examination;

(j) Establish by rule the procedures for an appeal of examination failure;

(k) Conduct a hearing on an appeal of a denial of a license based on the applicant's failure to meet the minimum qualifications for licensure. The hearing shall be conducted pursuant to chapter 34.04 RCW; and

(1) Adopt rules implementing a continuing competency program.

(2) The uniform disciplinary act, chapter 18.130 RCW, governs unlicensed practice, the issuance and denial of licenses and the discipline of licensees under this chapter. The director shall be the disciplining authority under this chapter.

NEW SECTION. Sec. 7. (1) There is hereby created the Washington state naturopathic advisory committee consisting of five members appointed by the director who shall advise the director concerning the administration of this chapter. Three members of the initial committee shall be persons who would qualify for licensing under this chapter. Their successors shall be naturopaths who are licensed under this chapter. Two members of the committee shall be individuals who are unaffiliated with the profession. For the initial committee, one unaffiliated member and one naturopath shall serve four-year terms, one unaffiliated member and one naturopath shall serve three-year terms, and one naturopath shall serve a two-year term. The term of office for committee members after the initial committee is four years. Any committee member may be removed for just cause including a finding of fact of unprofessional conduct, impaired practice, or more than

three unexcused absences. The director may appoint a new member to fill any vacancy on the committee for the remainder of the unexpired term.

No committee member may serve more than two consecutive terms, whether full or partial.

(2) Committee members shall be compensated in accordance with RCW 43.03.240 and reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(3) The committee may elect annually a chair and vice-chair to direct the meetings of the committee. The committee shall meet at least once each year, and may hold additional meetings as called by the director or the chair.

NEW SECTION. Sec. 8. The director, members of the committee, or individuals acting on their behalf, are immune from suit in any civil action based on any act performed in the course of their duties.

NEW SECTION. Sec. 9. The department shall issue a license to any applicant who meets the following requirements:

(1) Successful completion of an educational program approved by the director, the minimum standard of which shall be the successful completion of a doctorate degree program in naturopathy which includes a minimum of two hundred post-graduate hours in the study of mechanotherapy from an approved educational program, or successful completion of equivalent alternate training that meets the criteria established by the director. The requirement for two hundred post-graduate hours in the study of mechanotherapy shall expire June 30, 1989;

(2) Successful completion of any equivalent experience requirement established by the director;

(3) Successful completion of an examination administered or approved by the director;

(4) Good moral character; and

(5) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment.

The director shall establish what constitutes adequate proof of meeting the above requirements. Any person holding a valid license to practice drugless therapeutics under chapter 18.36 RCW upon the effective date of this section shall be deemed licensed pursuant to this chapter.

NEW SECTION. Sec. 10. The director shall establish by rule the standards for approval of educational programs and alternate training and may contract with individuals or organizations having expertise in the profession and/or in education to report to the director the information necessary for the director to evaluate the educational programs. The standards for approval shall be based on the minimal competencies necessary for safe practice. The standards and procedures for approval shall apply equally to

educational programs and equivalent alternate training within the United States and those in foreign jurisdictions. The director may establish a fee for educational program evaluation. The fee shall be determined by the administrative costs for the educational program evaluation, including, but not limited to, costs for site evaluation.

NEW SECTION. Sec. 11. (1) The date and location of the examination shall be established by the director. Applicants who have been found to meet the education and experience requirements for licensure shall be scheduled for the next examination following the filing of the application. The director shall establish by rule the examination application deadline.

(2) The examination shall contain subjects appropriate to the standards of competency and scope of practice.

(3) The director shall establish by rule the requirements for a reexamination if the applicant has failed the examination.

(4) The committee may recommend to the director an examination prepared or administered, or both, by a private testing agency or association of licensing boards.

NEW SECTION. Sec. 12. The director shall establish by rule the standards for licensure of applicants licensed in another jurisdiction. However, the standards for reciprocity of licensure shall not be less than required for licensure in the state of Washington.

NEW SECTION. Sec. 13. Applications for licensure shall be submitted on forms provided by the department. The department may require any information and documentation needed to determine if the applicant meets the criteria for licensure as provided in this chapter and chapter 18.130 RCW. Each applicant shall pay a fee determined by the director as provided in RCW 43.24.086. The fee shall be submitted with the application.

NEW SECTION. Sec. 14. The director shall establish by rule the requirements for renewal of licenses. The director shall establish a renewal and late renewal penalty fee as provided in RCW 43.24.086. Failure to renew shall invalidate the license and all privileges granted by the license. The director shall determine by rule whether a license shall be canceled for failure to renew and shall establish procedures and prerequisites for relicensure.

Sec. 15. Section 5, chapter 326, Laws of 1985 and RCW 18.06.050 are each amended to read as follows:

Any person seeking to be examined shall present to the director at least forty-five days before the commencement of the examination:

(1) A written application on a form or forms provided by the director setting forth under affidavit such information as the director may require; and

(2) Proof that the candidate has:

~~((b))~~ (a) Successfully completed a course, approved by the director, of didactic training in basic sciences and acupuncture over a minimum period of two academic years. The training shall include such subjects as anatomy, physiology, bacteriology, biochemistry, pathology, hygiene, and a survey of western clinical sciences. The basic science classes must be equivalent to those offered at the collegiate level. However, if the applicant is a licensed chiropractor under chapter 18.25 RCW or a ~~(drugless healer under chapter 18.36 RCW)~~ naturopath licensed under chapter 18.—RCW (sections 1 through 14 of this 1987 act), the requirements of this subsection relating to basic sciences may be reduced by up to one year depending upon the extent of the candidate's qualifications as determined under rules adopted by the director;

~~((c))~~ (b) Successfully completed a course, approved by the director, of clinical training in acupuncture over a minimum period of one academic year. The training shall include a minimum of: (i) Twenty-nine quarter credits of supervised practice, consisting of at least four hundred separate patient treatments involving a minimum of one hundred different patients, and (ii) one hundred hours or nine quarter credits of observation which shall include case presentation and discussion.

Sec. 16. Section 14, chapter 122, Laws of 1969 as amended by section 170, chapter 35, Laws of 1982 and RCW 18.100.140 are each amended to read as follows:

Nothing in this chapter shall authorize a director, officer, shareholder, agent or employee of a corporation organized under this chapter, or a corporation itself organized under this chapter, to do or perform any act which would be illegal, unethical or unauthorized conduct under the provisions of the following acts: (1) Medical disciplinary act, chapter 18.72 RCW; (2) Anti-rebating act, chapter 19.68 RCW; (3) State bar act, chapter 2.48 RCW; (4) Professional accounting act, chapter 18.04 RCW; (5) Professional architects act, chapter 18.08 RCW; (6) Professional auctioneers act, chapter 18.11 RCW; (7) ~~(Barbers, chapter 18.15 RCW; (8) Cosmetology, chapter 18.18)~~ Cosmetologists, barbers, and manicurists, chapter 18.16 RCW; ~~((9))~~ (8) Boarding homes act, chapter 18.20 RCW; ~~((10))~~ (9) Podiatry, chapter 18.22 RCW; ~~((11))~~ (10) Chiropractic act, chapter 18.25 RCW; ~~((12))~~ (11) Registration of contractors, chapter 18.27 RCW; ~~((13))~~ (12) Debt adjusting act, chapter 18.28 RCW; ~~((14))~~ (13) Dental hygienist act, chapter 18.29 RCW; ~~((15))~~ (14) Dentistry, chapter 18.32 RCW; ~~((16))~~ (15) Dispensing opticians, chapter 18.34 RCW; ~~((17) Drugless healing, chapter 18.36 RCW; (18))~~ (16) Naturopathic act, chapter 18.—RCW (sections 1 through 14 of this 1987 act); (17) Embalmers and funeral directors, chapter 18.39 RCW; ~~((19))~~ (18) Engineers and land surveyors, chapter 18.43 RCW; ~~((20))~~ (19) Escrow agents registration act, chapter 18.44 RCW; ~~((21) Furniture and bedding industry, chapter 18.45 RCW; (22))~~ (20) Maternity homes, chapter 18.46 RCW;

~~((23))~~ (21) Midwifery, chapter 18.50 RCW; ~~((24))~~ (22) Nursing homes, chapter 18.51 RCW; ~~((25))~~ (23) Optometry, chapter 18.53 RCW; ~~((26))~~ (24) Osteopathy, chapter 18.57 RCW; ~~((27))~~ (25) Pharmacists, chapter 18.64 RCW; ~~((28))~~ (26) Physical therapy, chapter 18.74 RCW; ~~((29))~~ (27) Practical nurses, chapter 18.78 RCW; ~~((30) Prophylactic vendors, chapter 18.81 RCW; (31))~~ (28) Psychologists, chapter 18.83 RCW; ~~((32))~~ (29) Real estate brokers and salesmen, chapter 18.85 RCW; ~~((33))~~ (30) Registered professional nurses, chapter 18.88 RCW; ~~((34) Sanitariums, chapter 18.90 RCW; (35))~~ (31) Veterinarians, chapter 18.92 RCW.

Sec. 17. Section 3, chapter 117, Laws of 1985 and section 28, Laws of 326, Laws of 1985 and RCW 18.120.020 are each reenacted and amended to read as follows:

The definitions contained in this section shall apply throughout this chapter unless the context clearly requires otherwise.

(1) "Applicant group" includes any health professional group or organization, any individual, or any other interested party which proposes that any health professional group not presently regulated be regulated or which proposes to substantially increase the scope of practice of the profession.

(2) "Certificate" and "certification" mean a voluntary process by which a statutory regulatory entity grants recognition to an individual who (a) has met certain prerequisite qualifications specified by that regulatory entity, and (b) may assume or use "certified" in the title or designation to perform prescribed health professional tasks.

(3) "Grandfather clause" means a provision in a regulatory statute applicable to practitioners actively engaged in the regulated health profession prior to the effective date of the regulatory statute which exempts the practitioners from meeting the prerequisite qualifications set forth in the regulatory statute to perform prescribed occupational tasks.

(4) "Health professions" means and includes the following health and health-related licensed or regulated professions and occupations: Podiatry under chapter 18.22 RCW; chiropractic under chapters 18.25 and 18.26 RCW; dental hygiene under chapter 18.29 RCW; dentistry under chapter 18.32 RCW; dispensing opticians under chapter 18.34 RCW; hearing aids under chapter 18.35 RCW; ~~((drugless healing under chapter 18.36 RCW))~~ naturopaths under chapter 18.— RCW (sections 1 through 14 of this 1987 act); embalming and funeral directing under chapter 18.39 RCW; midwifery under chapter 18.50 RCW; nursing home administration under chapter 18.52 RCW; optometry under chapters 18.53 and 18.54 RCW; ocularists under chapter 18.55 RCW; osteopathy and osteopathic medicine and surgery under chapters 18.57 and 18.57A RCW; pharmacy under chapters 18.64 and 18.64A RCW; medicine under chapters 18.71, 18.71A, and 18.72 RCW; emergency medicine under chapter 18.73 RCW; physical therapy under chapter 18.74 RCW; practical nurses under chapter 18.78 RCW;

psychologists under chapter 18.83 RCW; registered nurses under chapter 18.88 RCW; occupational therapists licensed pursuant to chapter 18.59 RCW; veterinarians and animal technicians under chapter 18.92 RCW; health care assistants under chapter 18.135 RCW; massage practitioners under chapter 18.108 RCW; and acupuncturists certified under chapter 18-.06 RCW.

(5) "Inspection" means the periodic examination of practitioners by a state agency in order to ascertain whether the practitioners' occupation is being carried out in a fashion consistent with the public health, safety, and welfare.

(6) "Legislative committees of reference" means the standing legislative committees designated by the respective rules committees of the senate and house of representatives to consider proposed legislation to regulate health professions not previously regulated.

(7) "License", "licensing", and "licensure" mean permission to engage in a health profession which would otherwise be unlawful in the state in the absence of the permission. A license is granted to those individuals who meet prerequisite qualifications to perform prescribed health professional tasks and for the use of a particular title.

(8) "Professional license" means an individual, nontransferable authorization to carry on a health activity based on qualifications which include: (a) Graduation from an accredited or approved program, and (b) acceptable performance on a qualifying examination or series of examinations.

(9) "Practitioner" means an individual who (a) has achieved knowledge and skill by practice, and (b) is actively engaged in a specified health profession.

(10) "Public member" means an individual who is not, and never was, a member of the health profession being regulated or the spouse of a member, or an individual who does not have and never has had a material financial interest in either the rendering of the health professional service being regulated or an activity directly related to the profession being regulated.

(11) "Registration" means the formal notification which, prior to rendering services, a practitioner shall submit to a state agency setting forth the name and address of the practitioner; the location, nature and operation of the health activity to be practiced; and, if required by the regulatory entity, a description of the service to be provided.

(12) "Regulatory entity" means any board, commission, agency, division, or other unit or subunit of state government which regulates one or more professions, occupations, industries, businesses, or other endeavors in this state.

(13) "State agency" includes every state office, department, board, commission, regulatory entity, and agency of the state, and, where provided

by law, programs and activities involving less than the full responsibility of a state agency.

Sec. 18. Section 4, chapter 279, Laws of 1984 as amended by section 29, chapter 326, Laws of 1985 and by section 3, chapter 259, Laws of 1986 and RCW 18.130.040 are each reenacted and amended to read as follows:

(1) This chapter applies only to the director and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The director has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed under chapter 18.34 RCW;

(ii) ~~((Drugless healers licensed under chapter 18.36 RCW))~~ Naturopaths licensed under chapter 18.— RCW (sections 1 through 14 of this act);

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Massage operators and businesses licensed under chapter 18.108 RCW;

(vi) Dental hygienists licensed under chapter 18.29 RCW; and

(vii) Acupuncturists certified under chapter 18.106 RCW.

(b) The boards having authority under this chapter are as follows:

(i) The podiatry board as established in chapter 18.22 RCW;

(ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;

(iii) The dental disciplinary board as established in chapter 18.32 RCW;

(iv) The board of funeral directors and embalmers as established in chapter 18.39 RCW;

(v) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;

(vi) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;

(vii) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;

(viii) The board of physical therapy as established in chapter 18.74 RCW;

(ix) The board of occupational therapy practice as established in chapter 18.59 RCW;

(x) The board of practical nursing as established in chapter 18.78 RCW;

(xi) The board of nursing as established in chapter 18.88 RCW; and

(xii) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

NEW SECTION. Sec. 19. Sections 1 through 14 of this act shall constitute a chapter in Title 18 RCW.

NEW SECTION. Sec. 20. Sections 1 through 14 of this act shall take effect January 1, 1988.

NEW SECTION. Sec. 21. A new section is added to chapter 43.131 RCW to read as follows:

The Washington state naturopathic practice advisory committee and its powers and duties shall be terminated on June 30, 1993, as provided in section 22 of this act.

NEW SECTION. Sec. 22. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1994:

- (1) Section 1 of this act and RCW 18.____;
- (2) Section 2 of this act and RCW 18.____;
- (3) Section 3 of this act and RCW 18.____;
- (4) Section 4 of this act and RCW 18.____;
- (5) Section 5 of this act and RCW 18.____;
- (6) Section 6 of this act and RCW 18.____;
- (7) Section 7 of this act and RCW 18.____;
- (8) Section 8 of this act and RCW 18.____;
- (9) Section 9 of this act and RCW 18.____;
- (10) Section 10 of this act and RCW 18.____;
- (11) Section 11 of this act and RCW 18.____;
- (12) Section 12 of this act and RCW 18.____;
- (13) Section 13 of this act and RCW 18.____; and
- (14) Section 14 of this act and RCW 18.____.

NEW SECTION. Sec. 23. The following acts or parts of acts are each repealed, effective June 30, 1988:

(1) Section 13, chapter 36, Laws of 1919, section 1, chapter 131, Laws of 1985, section 50, chapter 259, Laws of 1986 and RCW 18.36.010;

(2) Section 12, chapter 36, Laws of 1919, section 51, chapter 259, Laws of 1986 and RCW 18.36.020;

(3) Section 8, chapter 36, Laws of 1919, section 52, chapter 259, Laws of 1986 and RCW 18.36.030;

(4) Section 3, chapter 36, Laws of 1919, section 39, chapter 30, Laws of 1975 1st ex. sess., section 34, chapter 7, Laws of 1985, section 53, chapter 259, Laws of 1986 and RCW 18.36.040;

(5) Section 11, chapter 36, Laws of 1919, section 40, chapter 30, Laws of 1975 1st ex. sess., section 35, chapter 7, Laws of 1985, section 54, chapter 259, Laws of 1986 and RCW 18.36.050;

(6) Section 4, chapter 36, Laws of 1919, section 55, chapter 259, Laws of 1986 and RCW 18.36.060;

(7) Section 1, chapter 83, Laws of 1953, section 7, chapter 266, Laws of 1971 ex. sess., section 41, chapter 30, Laws of 1975 1st ex. sess., section 36, chapter 7, Laws of 1985 and RCW 18.36.115;

(8) Section 14, chapter 36, Laws of 1919 and RCW 18.36.120;

(9) Section 7, chapter 36, Laws of 1919, section 56, chapter 259, Laws of 1986 and RCW 18.36.130;

(10) Section 49, chapter 259, Laws of 1986 and RCW 18.36.136;

(11) Section 17, chapter 36, Laws of 1919 and RCW 18.36.165;

(12) Section 1, chapter 10, Laws of 1925 and RCW 18.36.170;

(13) Section 2, chapter 10, Laws of 1925 and RCW 18.36.200;

(14) Section 3, chapter 10, Laws of 1925 and RCW 18.36.210;

(15) Section 4, chapter 10, Laws of 1925 and RCW 18.36.220;

(16) Section 5, chapter 10, Laws of 1925 and RCW 18.36.230;

(17) Section 6, chapter 10, Laws of 1925 and RCW 18.36.240; and

(18) Section 7, chapter 10, Laws of 1925 and RCW 18.36.245.

NEW SECTION. Sec. 24. The following acts are each repealed, effective June 30, 1987:

(1) Section 20, chapter 197, Laws of 1983 and RCW 43.131.293; and

(2) Section 46, chapter 197, Laws of 1983 and RCW 43.131.294.

NEW SECTION. Sec. 25. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 26. Section 24 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support

of the state government and its existing public institutions, and shall take effect June 30, 1987.

Passed the Senate April 22, 1987.

Passed the House April 17, 1987.

Approved by the Governor May 18, 1987.

Filed in Office of Secretary of State May 18, 1987.

CHAPTER 448

[Senate Bill No. 5483]

COLLEGES AND UNIVERSITIES—AUTHORIZED LEAVE WITHOUT PAY—
RETIREMENT CALCULATIONS

AN ACT Relating to higher education retirement benefits; and adding a new section to chapter 28B.10 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 28B.10 RCW to read as follows:

(1) A faculty member or other employee designated by the boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, or the state board for community college education who is granted an authorized leave of absence without pay may apply the period of time while on the leave in the computation of benefits in any annuity and retirement plan authorized under RCW 28B.10.400 through 28B.10.430 only to the extent provided in subsection (2) of this section.

(2) An employee who is eligible under subsection (1) of this section may receive a maximum of two years' credit during the employee's entire working career for periods of authorized leave without pay. Such credit may be obtained only if the employee pays both the employer and employee contributions required under RCW 28B.10.405 and 28B.10.410 while on the authorized leave of absence and if the employee returns to employment with the university or college immediately following the leave of absence for a period of not less than two years. The employee and employer contributions shall be based on the average of the employee's compensation at the time the leave of absence was authorized and the time the employee resumes employment. Any benefit under RCW 28B.10.400(3) shall be based only on the employee's compensation earned from employment with the university or college.

An employee who is inducted into the armed forces of the United States shall be deemed to be on an unpaid, authorized leave of absence.

Passed the Senate April 21, 1987.

Passed the House April 17, 1987.

Approved by the Governor May 18, 1987.

Filed in Office of Secretary of State May 18, 1987.