

shall retain professional and personal responsibility for any act which constitutes the practice of medicine as defined in RCW 18.57.130 when performed by a physician's assistant in his employ.

NEW SECTION. Sec. 12. No health care services may be performed under this chapter in any of the following areas:

(a) The measurement of the powers or range of human vision, or the determination of the accommodation and refractive state of the human eye or the scope of its functions in general, or the fitting or adaptation of lenses or frames for the aid thereof.

(b) The prescribing or directing the use of, or using, any optical device in connection with ocular exercises, visual training, vision training or orthoptics.

(c) The prescribing of contact lenses for, or the fitting or adaptation of contact lenses to, the human eye.

(d) Nothing in this section shall preclude the performance of routine visual screening.

(e) The practice of dentistry or dental hygiene as defined in chapter 18.32 and 18.29 respectively. The exemptions set forth in RCW 18.32.030, paragraphs (1) and (8), shall not apply to a physician's assistant.

(f) The practice of chiropractic as defined in chapter 18.25 RCW including the adjustment or manipulation of the articulations of the spine.

(g) The practice of chiropody as defined in chapter 18.22 RCW.

NEW SECTION. Sec. 13. If any provision of this 1971 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.

Passed the Senate April 8, 1971.

Passed the House April 6, 1971.

Approved by the Governor April 15, 1971.

Filed in Office of Secretary of State April 15, 1971.

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CHAPTER 31

[Engrossed Senate Bill No. 196]

PAROLED, DISCHARGED PRISONERS

AND PERSONS CONVICTED OF FELONY AND GRANTED PROBATION--

AID AND ASSISTANCE

AN ACT Relating to crimes and punishments; creating a program of aid and assistance for paroled, discharged prisoners and persons convicted of a felony and granted probation; amending section 2, chapter 217, Laws of 1961 and RCW 9.95.310; amending

section 3, chapter 217, Laws of 1961 and RCW 9.95.320; amending section 4, chapter 217, Laws of 1961 and RCW 9.95.330; amending section 5, chapter 217, Laws of 1961 and RCW 9.95.340; amending section 6, chapter 217, Laws of 1961 and RCW 9.95.350; amending section 7, chapter 217, Laws of 1961 and RCW 9.95.360; amending section 8, chapter 217, Laws of 1961 and RCW 9.95.370; and adding a new section to chapter 217, Laws of 1961 and to chapter 9.95 RCW.

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

Section 1. Section 2, chapter 217, Laws of 1961 and RCW 9.95.310 are each amended to read as follows:

The purpose of ((RCW 9-95-340 through 9-95-370)) this 1971 amendatory act is to provide necessary assistance, other than assistance which is authorized to be provided ((by the state division of vocational rehabilitation, the state department of public assistance, the employment security department)) under the vocational rehabilitation laws, Title 28A RCW, under the public assistance laws, Title 74 RCW or the department of employment security or other state agency, for parolees, ((and)) discharged prisoners and persons convicted of a felony and granted probation in need and whose capacity to earn a living under these circumstances is impaired; and to help such persons attain self-care and/or self-support for rehabilitation and restoration to independence as useful citizens as rapidly as possible thereby reducing the number of returnees to the institutions of this state to the benefit of such person and society as a whole.

Sec. 2. Section 3, chapter 217, Laws of 1961 and RCW 9.95.320 are each amended to read as follows:

The ((board)) secretary of the department of social and health services or his designee may provide to any parolee ((or)), discharged prisoner and persons convicted of a felony and granted probation in need and without necessary means, from any funds legally available therefor, such reasonable sums as ((it)) he deems necessary for the subsistence of such person and his family until ((he)) such person has become gainfully employed. Such aid may be made under such terms and conditions, and through local parole or probation officers if necessary, as the ((board)) secretary of the department of social and health services or his designee may require and ((it would supplement)) shall be supplementary to any moneys which may be provided under public assistance or from any other source.

Sec. 3. Section 4, chapter 217, Laws of 1961 and RCW 9.95.330 are each amended to read as follows:

The ((board)) department of social and health services may accept any devise, bequest, gift, grant, or contribution made for the purposes of ((RCW 9-95-340 through 9-95-370)) this 1971 amendatory

act and the secretary of the department of social and health services or his designee may make expenditures, or approve expenditures by local parole or probation officers, therefrom for the purposes of ((REW 9-95-340 through 9-95-370)) this 1971 amendatory act in accordance with the rules of the ((board)) department of social and health services.

Sec. 4. Section 5, chapter 217, Laws of 1961 and RCW 9.95.340 are each amended to read as follows:

Any funds in the hands of the ((board)) department of social and health services, or which may come into its hands, which belong to discharged prisoners ((or)), parolees or persons convicted of a felony and granted probation who absconded, or whose whereabouts are unknown, shall be deposited in the parolee and probationer revolving fund. Said funds shall be used to defray the expenses of clothing and other necessities and for transporting discharged prisoners ((and)), parolees and persons convicted of a felony and granted probation who are without means to secure the same. All payments disbursed from these funds shall be repaid, whenever possible, by discharged prisoners ((and)), parolees and persons convicted of a felony and granted probation for whose benefit they are made. Whenever any money belonging to discharged prisoners ((and)), parolees and persons convicted of a felony and granted probation is so paid into the revolving fund, it shall be repaid to them in accordance with law if a claim therefor is filed with the ((board)) department of social and health services within five years of deposit into said fund and upon a clear showing of a legal right of such claimant to such money.

Sec. 5. Section 6, chapter 217, Laws of 1961 and RCW 9.95.350 are each amended to read as follows:

All money or other property paid or delivered to a probation or parole officer or employee of the ((board)) department of social and health services by or for the benefit of any discharged prisoner ((or)), parolee or persons convicted of a felony and granted probation shall be immediately transmitted to the ((board)) department of social and health services and it shall enter the same upon its books to his credit. Such money or other property shall be used only under the direction of the ((board)) department of social and health services.

If such person absconds, the money shall be deposited in the revolving fund created by ((REW 9-95-360)) section 6 of this 1971 amendatory act, and any other property, if not called for within one year, shall be sold by the ((board)) department of social and health services and the proceeds credited to the revolving fund.

If any person, files a claim within five years after the deposit or crediting of such funds, and satisfies the ((board))

department of social and health services that he is entitled thereto, the ~~((board shall))~~ department of social and health services may make a finding to that effect and may make payment to the claimant in the amount to which he is entitled.

Sec. 6. Section 7, chapter 217, Laws of 1961 and RCW 9.95.360 are each amended to read as follows:

The ~~((board))~~ department of social and health services shall create, maintain, and administer outside the state treasury a permanent revolving fund to be known as the "parolee and probationer revolving fund" into which shall be deposited all moneys received by it under ~~((REW 9-95-340 through 9-95-370))~~ this 1971 amendatory act and any appropriation made for the purposes of ~~((REW 9-95-340 through 9-95-370))~~ this 1971 amendatory act. All expenditures from this revolving fund shall be made by check or voucher signed by the ~~((chairman of the board or its duly designated representative or representatives))~~ secretary of the department of social and health services or his designee. The parolee and probationer revolving fund shall be deposited by the ~~((board))~~ department of social and health services in such banks or financial institutions as it may select which shall give to the ~~((board))~~ department of social and health services a surety bond executed by a surety company authorized to do business in this state, or collateral eligible as security for deposit of state funds in at least the full amount of deposit.

Sec. 7. Section 8, chapter 217, Laws of 1961 and RCW 9.95.370 are each amended to read as follows:

The ~~((board))~~ secretary of the department of social and health services or his designee shall enter into a written agreement with every person receiving funds under ~~((REW 9-95-340 through 9-95-370))~~ this 1971 amendatory act that such person will repay such funds under the terms and conditions in said agreement. No person shall receive funds until such an agreement is validly made.

NEW SECTION. Sec. 8. There is added to chapter 217, Laws of 1961 and to chapter 9.95 RCW a new section to read as follows:

On the effective date of this 1971 amendatory act the board of prison terms and paroles shall transfer to the secretary of the department of social and health services all funds, accounts, records, files, documents and all other tangible property and things pertaining to the parolee revolving fund created by chapter 217, Laws of 1961.

Passed the Senate March 12, 1971.

Passed the House April 6, 1971.

Approved by the Governor April 15, 1971.

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