

NEW SECTION. Sec. 2. 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 immediately.

Passed the House May 28, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 4, 1975.

Filed in Office of Secretary of State June 4, 1975.

CHAPTER 171

[Substitute House Bill No. 788]

PRACTICE OF MEDICINE

AN ACT Relating to the practice of medicine; amending section 2, chapter 60, Laws of 1957 as amended by section 1, chapter 284, Laws of 1961 and RCW 18.71.010; amending section 2, chapter 284, Laws of 1961 and RCW 18.71.015; amending section 14, chapter 192, Laws of 1909 as last amended by section 1, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.020; amending section 10, chapter 284, Laws of 1961 and RCW 18.71.025; amending section 19, chapter 192, Laws of 1909 as last amended by section 1, chapter 110, Laws of 1973 1st ex. sess. and RCW 18.71.030; amending section 35, chapter 202, Laws of 1953 and RCW 18.71.040; amending section 3, chapter 60, Laws of 1957 as amended by section 5, chapter 284, Laws of 1961 and RCW 18.71.050; amending section 4, chapter 60, Laws of 1957 as amended by section 6, chapter 284, Laws of 1961 and RCW 18.71.055; amending section 8, chapter 192, Laws of 1909 as amended by section 7, chapter 284, Laws of 1961 and RCW 18.71.060; amending section 6, chapter 192, Laws of 1909 as last amended by section 8, chapter 284, Laws of 1961 and RCW 18.71.070; amending section 36, chapter 202, Laws of 1955 as amended by section 12, chapter 266, Laws of 1971 ex. sess. and RCW 18.71.080; amending section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090; amending section 1, chapter 189, Laws of 1959 as last amended by section 1, chapter 4, Laws of 1973 1st ex. sess. and RCW 18.71.095; amending section 44, chapter 202, Laws of 1955 and RCW 18.71.180; adding new sections to chapter 18.71 RCW; repealing section 2, chapter 189, Laws of 1959, section 1, chapter 65, Laws of 1963, section 2, chapter 29, Laws of 1965, section 2, chapter 138, Laws of 1967, section 2, chapter 4, Laws of 1973 1st ex. sess. and RCW 18.71.096; and repealing section 21, chapter 192, Laws of 1909 and RCW 18.71.900.

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

Section 1. Section 2, chapter 60, Laws of 1957 as amended by section 1, chapter 284, Laws of 1961 and RCW 18.71.010 are each amended to read as follows:

The following terms used in this chapter shall have the meanings set forth in this section unless the context clearly indicates otherwise:

(1) ~~((The practice of medicine and surgery consists of the use of drugs or medicinal preparations in or upon human beings, severing or penetrating the tissues of human beings, and the use of any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions, but shall not include the practice of chiropractic as defined in RCW 18.25.030))~~ "Board" means the board of medical examiners.

(2) ~~"Director" means the director of ((licenses))~~ "Director" means the director of the department of motor vehicles.

(3) ~~(("Board" means the board of medical examiners))~~ "Resident physician" means an individual who has graduated from a school of medicine which meets the requirements set forth in RCW 18.71.055 and is serving a period of postgraduate clinical medical training sponsored by a college or university in this state or by a hospital accredited by this state. For purposes of this chapter, the term shall include individuals designated as intern or medical fellow.

Sec. 2. Section 2, chapter 284, Laws of 1961 and RCW 18.71.015 are each amended to read as follows:

There is hereby created a board of medical examiners consisting of ~~((five))~~ six individuals licensed to practice medicine ~~((and surgery))~~ in the state of Washington and one individual who is not a physician, to be known as the Washington state board of medical examiners.

The board shall be appointed by the governor. The members of the first board shall be appointed within thirty days after March 21, 1961, to serve the following terms: One member for one year, one member for two years, one member for three years, one member for four years, one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. On expiration of the term of any member, the governor shall appoint for a period of five years an individual ~~((licensed to practice medicine and surgery in the state of Washington))~~ of similar qualifications to take the place of such member. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified.

Each member of the board shall be a citizen of the United States, must be an actual resident of this state, and, if a physician, must have been licensed to practice medicine ~~((and surgery))~~ in this state for at least five years.

The board shall meet as soon as practicable after appointment and elect a chairman and a secretary from its members. Meetings shall be held at least four times a year and at such place as the board shall determine and at such other times and places as the board deems necessary.

It shall require the affirmative vote of a majority of the members of the board to carry any motion or resolution, to adopt any rule, to pass any measure, or to authorize or deny the issuance of any certificate.

Each member of the board shall receive the sum of ~~((twenty-five))~~ forty dollars per diem when actually attending to the work of the board or any of its committees and for the time spent in necessary travel; and in addition thereto shall be reimbursed for actual traveling, incidental and clerical expenses necessarily incurred in carrying out the duties of the board. Any such expenses shall be paid from funds appropriated to the department of ~~((licenses))~~ motor vehicles.

Any member of the board may be removed by the governor for neglect of duty, misconduct or malfeasance or misfeasance in office.

Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor.

Sec. 3. Section 14, chapter 192, Laws of 1909 as last amended by section 1, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.020 are each amended to read as follows:

Any person who shall practice or attempt to practice or hold himself out as practicing medicine ~~((and surgery))~~ in this state, without having, at the time of so doing, a valid, unrevoked ~~((certificate))~~ license as provided in this chapter, shall be guilty of a gross misdemeanor: PROVIDED, That nothing in this section shall be so construed as to prohibit or penalize emergency life-saving service rendered by a physician's trained mobile intensive care paramedic, as defined in RCW 18.71-.200, if such emergency life-saving service be rendered under the responsible supervision and control of a licensed physician. In each such conviction the fine

shall be paid, when collected, to the state treasurer: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. The director is authorized to prosecute all persons guilty of a violation of the provisions of this chapter.

Sec. 4. Section 10, chapter 284, Laws of 1961 and RCW 18.71.025 are each amended to read as follows:

The attorney general, each prosecuting attorney, the director, the state board of medical examiners, or any citizen of the state may in accordance with the laws of this state governing injunctions, maintain an action in the name of this state to enjoin such person from engaging in the practice of medicine (~~and surgery~~) as herein defined until a valid (~~certificate~~) license to practice medicine (~~and surgery~~) be secured: PROVIDED, That such injunction shall not relieve such person so practicing medicine (~~and surgery~~) without a valid (~~certificate~~) license from criminal prosecution therefor, but such remedy by injunction shall be in addition to the liability of such offender to criminal prosecution.

Sec. 5. Section 19, chapter 192, Laws of 1909 as last amended by section 1, chapter 110, Laws of 1973 1st ex. sess. and RCW 18.71.030 are each amended to read as follows:

~~Nothing in this chapter shall be construed to ((prohibit service in the case of emergency, or the domestic administration of family remedies, or the practice of midwifery; nor shall this chapter apply to any commissioned medical officer in the United States army, navy, or marine hospital service, in the discharge of his official duties; nor to any person serving a period of training, not exceeding three years, in any hospital licensed under chapter 70.41 RCW; nor to any person serving a period of training at the University of Washington school of medicine; nor to any licensed dentist when engaged exclusively in the practice of dentistry; nor shall this chapter prevent a physician licensed to practice medicine and surgery in Canada or any province or territory thereof from practicing medicine in any part of this state which shares a common border with Canada and which is surrounded on three sides by water; nor shall this chapter apply to any practitioner from any other state or territory in which he resides: PROVIDED, That such practitioner shall not open an office or appoint a place of meeting patients or receive calls within the limits of this state. This chapter shall not be construed to apply in any manner to the practice of osteopathy or to any drugless method of treating the sick or afflicted; or to)) apply to or interfere in any way with the practice of religion or any kind of treatment by prayer; nor ((to any person now holding a license for any system of drugless practice issued pursuant to chapter 18.36; nor to any person licensed under any law to practice any of the other healing arts if such practice is by the methods and means permitted by his license)) shall anything in this chapter be construed to prohibit:~~

(1) The furnishing of medical assistance in cases of emergency requiring immediate attention;

(2) The domestic administration of family remedies;

(3) The practice of dentistry, osteopathy, osteopathy and surgery, nursing, chiropractic, podiatry, optometry, drugless therapeutics or any other healing art licensed under the methods or means permitted by such license;

(4) The practice of medicine in this state by any commissioned medical officer serving in the armed forces of the United States or public health service or any medical officer on duty with the United States veterans administration while such medical officer is engaged in the performance of the duties prescribed for him by the laws and regulations of the United States;

(5) The practice of medicine by any practitioner licensed by another state or territory in which he resides, provided that such practitioner shall not open an office or appoint a place of meeting patients or receiving calls within this state;

(6) The practice of medicine by a person who is a regular student in a school of medicine approved and accredited by the board: PROVIDED, HOWEVER, That the performance of such services be only pursuant to a regular course of instruction or assignments from his instructor, or that such services are performed only under the supervision and control of a person licensed pursuant to this chapter;

(7) The practice of medicine by a person serving a period of postgraduate medical training in a program of clinical medical training sponsored by a college or university in this state or by a hospital accredited in this state: PROVIDED, That the performance of such services shall be only pursuant to his duties as a trainee;

(8) The practice of medicine by a person who is regularly enrolled in a physician's assistant program approved by the board: PROVIDED, HOWEVER, That the performance of such services be only pursuant to a regular course of instruction in said program: AND PROVIDED FURTHER, That such services are performed only under the supervision and control of a person licensed pursuant to this chapter;

(9) The practice of medicine by a registered physician's assistant which practice is performed under the supervision and control of a physician licensed pursuant to this chapter;

(10) The practice of medicine, in any part of this state which shares a common border with Canada and which is surrounded on three sides by water, by a physician licensed to practice medicine and surgery in Canada or any province or territory thereof.

Sec. 6. Section 35, chapter 202, Laws of 1953 and RCW 18.71.040 are each amended to read as follows:

Every applicant for a ((certificate)) license to practice medicine ((and surgery)) shall pay ((a)) an application fee of twenty-five dollars. In addition to the application fee provided for herein, every applicant for licensure by examination shall pay an examination fee of one hundred dollars, which sum shall be refunded in the event the board determines that the applicant is not eligible for examination. In addition to the application fee provided for herein, every applicant for licensure by reciprocity or waiver of examination shall pay a fee of fifty dollars. The director shall charge a fee of fifteen dollars for license certifications.

Sec. 7. Section 3, chapter 60, Laws of 1957 as amended by section 5, chapter 284, Laws of 1961 and RCW 18.71.050 are each amended to read as follows:

((Every such applicant must file in the office of the director with his application satisfactory testimonials as to his moral character, and a diploma issued by a medical school accredited and approved by the board, or by the director prior to

~~March 21, 1961, as of the time the diploma was issued therefrom. After March 21, 1961, the board shall not accredit or approve any medical school that does not meet the requirements set forth in RCW 18.71.055, as amended. The application must be sworn to before some person authorized to administer oaths, and attested by the hand and seal of such officer, if he has a seal, stating that the applicant is the person named in the diploma, that he is the lawful holder thereof, and that it was procured in the regular course of instruction and examination, without fraud or misrepresentation.~~

~~The applicant must also furnish evidence that:~~

~~(1) He has served for not less than one year as interne in a thoroughly equipped hospital, having at least twenty-five beds for each interne, devoted to the treatment of medical, surgical, gynecological and special diseases;~~

~~(2) He has had some experience in, and has a practical working knowledge of obstetrics;~~

~~(3) He has had some experience in, and a practical working knowledge of pathology;))~~

Each applicant who has graduated from a school of medicine located in any state, territory or possession of the United States, the District of Columbia, or the Dominion of Canada, shall file an application for licensure with the board on a form prepared by the director with the approval of the board. Each applicant shall furnish proof satisfactory to the board of the following:

(1) That he has attended and graduated from a school of medicine approved by the board;

(2) That he has completed one year of postgraduate medical training in a program acceptable to the board;

(3) That he is of good moral character;

(4) That he is physically and mentally capable of safely carrying on the practice of medicine. The board may require any applicant to submit to such examination or examinations as it deems necessary to determine an applicant's physical and/or mental capability to safely practice medicine;

(5) That his license to practice medicine is not at the time of the application revoked or suspended by any licensing agency and that he has not been guilty of any conduct which would constitute grounds for refusal, revocation or suspension of such license under the laws of the state of Washington.

Nothing in this section shall be construed as prohibiting the board from requiring such additional information from applicants as it deems necessary.

Sec. 8. Section 4, chapter 60, Laws of 1957 as amended by section 6, chapter 284, Laws of 1961 and RCW 18.71.055 are each amended to read as follows:

The board may ((accredit and)) approve any ((medical)) school of medicine which is located in any state, territory or possession of the United States, the District of Columbia, or in the Dominion of Canada, provided that it:

(1) Requires collegiate instruction which ((training shall)) includes ((theoretical and laboratory courses in physics, biology, inorganic and organic chemistry)) courses deemed by the board to be prerequisites to medical education;

(2) Provides adequate instruction in the following subjects: Anatomy, biochemistry, microbiology and immunology, pathology, pharmacology, physiology,

anaesthesiology, dermatology, gynecology, internal medicine, neurology, obstetrics, ophthalmology, orthopedic surgery, otolaryngology, pediatrics, physical medicine and rehabilitation, preventive medicine and public health, psychiatry, radiology, surgery and urology and such other subjects determined by the board;

(3) Provides clinical instruction in hospital wards and out-patient clinics under guidance.

Approval may be withdrawn by the board at any time a medical school ceases to comply with one or more of the requirements of this section.

(4) Nothing in this section shall be construed to authorize the board to approve a school of osteopathy, osteopathy and surgery or osteopathic medicine, for purposes of qualifying an applicant to be licensed under this chapter by direct licensure, reciprocity or otherwise.

Sec. 9. Section 8, chapter 192, Laws of 1909 as amended by section 7, chapter 284, Laws of 1961 and RCW 18.71.060 are each amended to read as follows:

Said board shall keep an official record of all its proceedings, a part of which record shall consist of a register of all applicants for ~~((certificates))~~ licensure under this chapter, with the result of each application. Said record shall be evidence of all the proceedings of said board which are set forth therein.

Sec. 10. Section 6, chapter 192, Laws of 1909 as last amended by section 8, chapter 284, Laws of 1961 and RCW 18.71.070 are each amended to read as follows:

~~((In addition to the requirements above set forth, such applicants for a certificate must be personally examined by said board as to their qualifications. The examination shall be conducted in the English language, shall be practical in character and designed to discover the applicant's fitness to practice medicine and surgery, and shall be, in whole or in part, in writing on the following fundamental subjects, to wit: Anatomy, histology, gynecology, pathology, bacteriology, chemistry, toxicology, physiology, obstetrics, general diagnosis, practice of medicine and surgery and any other branches thereof that the board shall deem advisable. Examinations in each subject shall consist of not less than ten questions, answers to which shall be marked upon a scale of zero to ten. All applicants must obtain not less than sixty-five percent in any one subject and obtain a general average of not less than seventy percent in all subjects: PROVIDED, That applicants who can show at least ten years of reputable practice shall be granted a credit of five percent upon each subject. The examination papers shall form a part of the records of the board and shall be kept on file for a period of one year after each examination. In said examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the application has been finally voted upon.))~~

With the exception of those applicants granted licensure through the provisions of RCW 18.71.090 or 18.71.095, applicants for licensure must successfully complete an examination administered by the board to determine their professional qualifications. The board shall prepare and give, or approve the preparation and giving of, an examination which shall cover those general subjects and topics, a knowledge of which is commonly and generally required of candidates for the degree of doctor of medicine conferred by approved colleges or schools of medicine in the United States. Notwithstanding any other provision of law, the board

shall have the sole responsibility for determining the proficiency of applicants under this chapter, and, in so doing, may waive any prerequisite to licensure not set forth in this chapter.

The board may by rule establish the passing grade for the examination, and in so doing may grant credit based on experience. In no event, however, shall credit for experience exceed five percent of the total possible grade.

Examination results shall be part of the records of the board and shall be permanently kept with the applicant's file.

Sec. 11. Section 36, chapter 202, Laws of 1955 as amended by section 12, chapter 266, Laws of 1971 ex. sess. and RCW 18.71.080 are each amended to read as follows:

Every person licensed to practice medicine (~~((and surgery))~~) in this state shall register with the director of department of motor vehicles annually, and pay an annual renewal registration fee (~~((of not more than ten dollars to be determined by the director as provided in RCW 43.24.085,))~~) determined by the director as provided in RCW 43.24.085 as now or hereafter amended, on or before the first day of July of each year(~~((and thereupon the license of such person shall be renewed for a period of one year))~~). The board may establish rules and regulations governing mandatory continuing education requirements which shall be met by physicians applying for renewal of licenses. Any failure to register and pay the annual renewal registration fee shall render the license invalid, but such license shall be reinstated upon written application therefor to the director, and payment to the state of a penalty of ten dollars, together with all delinquent annual license renewal fees: **PROVIDED, HOWEVER,** That any person who fails to renew his license for a period of three years, shall in no event be entitled to renew his license under this section. Such a person in order to obtain a license to practice medicine in this state, shall file an original application as provided for in this chapter, along with the requisite fee therefor. The board, in its sole discretion, may permit such applicant to be licensed without examination if it is satisfied that such applicant meets all the requirements for licensure in this state, and is competent to engage in the practice of medicine.

Sec. 12. Section 11, chapter 134, Laws of 1919 as last amended by section 9, chapter 284, Laws of 1961 and RCW 18.71.090 are each amended to read as follows:

Any applicant who (~~((has been examined and licensed under the laws of another state, which through a reciprocity provision in its laws, similarly accredits the holders of certificates from the proper authorities of this state to the full privileges of practice within its borders))~~) meets the requirements of RCW 18.71.050 and has been licensed under the laws of another state, territory, or possession of the United States, or of any province of Canada, or an applicant who has satisfactorily passed examinations given by the national board of medical examiners may, in the discretion of the board, be granted a license without examination on the payment of (~~((a))~~) the fees (~~((of twenty-five dollars to the state treasurer))~~) required by this chapter: PROVIDED, That he (~~((has not previously failed to pass an examination held in this state. He))~~) must file with the board a copy of his license certified by the proper authorities of the issuing state to be a full, true copy

thereof, and must show that the standards, eligibility requirements and examinations of that state are at least equal in all respects to those of this state.

Sec. 13. Section 1, chapter 189, Laws of 1959 as last amended by section 1, chapter 4, Laws of 1973 1st ex. sess. and RCW 18.71.095 are each amended to read as follows:

~~((Notwithstanding any provisions of law to the contrary, the director of the department of motor vehicles shall))~~ The board may, without examination, issue a limited license to persons who possess the qualifications set forth herein:

(1) The board may, upon the written request of the secretary of the department of social and health services, issue a ~~((conditional certificate or))~~ limited license to practice medicine ~~((and surgery))~~ in this state to ~~((such person or))~~ persons ~~((as requested by the secretary of the department of social and health services;))~~ who have been accepted for employment by the department as physicians ~~((or psychiatrists))~~; who are licensed to practice medicine ~~((and surgery))~~ in another state of the United States or in the country of Canada or any province or territory thereof; and who ~~((are graduates of a medical school accredited and approved in accordance with the provisions of RCW 18.71.055, as now or hereafter amended; any such license or conditional certificate to practice medicine and surgery in this state shall be issued by the director of the department of motor vehicles, and in addition to the above requirements shall be subject to the following limitations, which shall be set forth therein;))~~ meet all of the qualifications for licensure set forth in RCW 18.71.050.

~~(((1) The licensee shall only))~~ Such license shall permit the holder thereof to practice ~~((the profession of))~~ medicine ~~((and surgery))~~ only in ~~((conjunction))~~ connection with patients, residents, or inmates of the state institutions under the control and supervision of the secretary of the department of social and health services.

(2) The board may issue a limited license to practice medicine in this state to persons who have been accepted for employment by a county or city health department as physicians; who are licensed to practice medicine in another state of the United States or in the country of Canada or any province or territory thereof; and who meet all of the qualifications for licensure set forth in RCW 18.71.050.

Such license shall permit the holder thereof to practice medicine only in connection with his or her duties in employment with the city or county health department.

(3) Upon receipt of a completed application showing that the applicant meets all of the requirements for licensure set forth in RCW 18.71.050 except for completion of one year of postgraduate medical training, and that the applicant has been appointed as a resident physician in a program of postgraduate clinical training in this state approved by the board, the board may issue a limited license to a resident physician. Such license shall permit the resident physician to practice medicine only in connection with his duties as a resident physician and shall not authorize him to engage in any other form of practice. Each resident physician shall practice medicine only under the supervision and control of a physician licensed in this state, but such supervision and control shall not be construed to

necessarily require the personal presence of the supervising physician at the place where services are rendered.

~~((2) The licensee))~~ All persons licensed under this section shall be subject to the jurisdiction of the medical disciplinary board to the same extent as other members of the medical profession, in accordance with chapter 18.72 RCW and in addition, the ((conditional)) limited license ((or certificate)) to practice medicine ((and surgery)) in the state of Washington may be revoked by the medical disciplinary board after a hearing has been held in accordance with the provisions set forth in chapter 18.72 RCW, and determination made by the medical disciplinary board that such licensee has violated the limitations set forth ((in subsection (1) hereof)) herein.

~~((3) Such license shall remain in full force and effect only so long as the licensee remains an employee of the department of social and health services, and his duties as such employee require him to practice the profession of medicine and surgery, unless such conditional license or certificate is revoked or suspended by the medical disciplinary board, in accordance with the provisions of chapter 18.72 RCW.))~~

Persons applying for licensure pursuant to this section shall pay an application fee of twenty-five dollars and, in the event the license applied for is issued, a license fee at the rate provided for renewals of licenses generally. Licenses issued hereunder may be renewed annually pursuant to the provisions of RCW 18.71-.080: PROVIDED, That a limited license for a resident physician may not be renewed until such resident physician has successfully completed either all parts of the examination given by the national board of medical examiners or an equivalent examination approved by the board. Interim approval may be granted until the result of such examination becomes available. Any person who obtains a limited license pursuant to this section may, without an additional application fee, apply for licensure under this chapter.

Sec. 14. Section 44, chapter 202, Laws of 1955 and RCW 18.71.180 are each amended to read as follows:

In case of the ~~((refusal))~~ denial of a license, the ~~((medical disciplinary))~~ board shall file a brief and concise statement of the grounds and reasons therefor in the office of the director of ~~((licenses))~~ the department of motor vehicles, which~~((together with the decision of the hearing committee of the medical disciplinary board, in writing.))~~ shall remain of record therein.

NEW SECTION. Sec. 15. There is added to chapter 18.71 RCW a new section to read as follows:

A person is practicing medicine if he does one or more of the following:

- (1) Offers or undertakes to diagnose, cure, advise or prescribe for any human disease, ailment, injury, infirmity, deformity, pain or other condition, physical or mental, real or imaginary, by any means or instrumentality;
- (2) Administers or prescribes drugs or medicinal preparations to be used by any other person;
- (3) Severs or penetrates the tissues of human beings;
- (4) Uses on cards, books, papers, signs or other written or printed means of giving information to the public, in the conduct of any occupation or profession

pertaining to the diagnosis or treatment of human disease or conditions the designation "doctor of medicine", "physician", "surgeon", "m.d." or any combination thereof unless such designation additionally contains the description of another branch of the healing arts for which a person has a license: PROVIDED HOWEVER, That a person licensed under this chapter shall not engage in the practice of chiropractic as defined in RCW 18.25.005.

NEW SECTION. Sec. 16. There is added to chapter 18.71 RCW a new section to read as follows:

Applicants for licensure to practice medicine who have graduated from a school of medicine located outside of the states, territories and possessions of the United States, the District of Columbia, or the Dominion of Canada, shall file an application for licensure with the board on a form prepared by the director with the approval of the board. Each applicant shall furnish proof satisfactory to the board of the following:

(1) That he has completed in a school of medicine a resident course of professional instruction equivalent to that required in this chapter for applicants generally;

(2) That he meets all the requirements which must be met by graduates of the United States and Canadian school of medicine except that he need not have graduated from a school of medicine approved by the board;

(3) That he has satisfactorily passed the examination given by the educational council for foreign medical graduates or has met the requirements in lieu thereof as set forth in rules and regulations adopted by the board;

(4) That he has the ability to read, write, speak, understand, and be understood in the English language.

NEW SECTION. Sec. 17. There is added to chapter 18.71 RCW a new section to read as follows:

If the board determines to deny an application for licensure, or renewal, it shall forthwith notify the applicant by mailing to him at the address listed on his application a concise statement of the reasons for such denial. Such an applicant may request a hearing within thirty days of the date such notification is mailed and such request shall be granted if it appears that the board, under any circumstances which might be shown at such a hearing, has the power to reverse its decision. All such hearings shall be held in accordance with the administrative procedure act (chapter 34.04 RCW).

NEW SECTION. Sec. 18. Members of the board shall be immune from suit in any other action, civil or criminal, based upon licensure proceedings or other official acts performed in good faith as members of the board.

NEW SECTION. Sec. 19. There is added to chapter 18.71 RCW a new section to read as follows:

If any section, sentence, clause, or phrase of this 1975 amendatory act should be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this 1975 amendatory act.

NEW SECTION. Sec. 20. The following acts or parts of acts are each repealed:

(1) Section 2, chapter 189, Laws of 1959, section 1, chapter 65, Laws of 1963, section 2, chapter 29, Laws of 1965, section 2, chapter 138, Laws of 1967, section 2, chapter 4, Laws of 1973 1st ex. sess. and RCW 18.71.096; and

(2) Section 21, chapter 192, Laws of 1909 and RCW 18.71.900.

Passed the House May 27, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 4, 1975.

Filed in Office of Secretary of State June 4, 1975.

CHAPTER 172

[House Bill No. 1029]

WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS

AN ACT Relating to associations; and creating a new section.

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

NEW SECTION. Section 1. The Washington association of sheriffs and police chiefs is hereby declared to be a combination of units of local government: **PROVIDED**, That such association shall not be considered an "employer" within the meaning of RCW 41.26.030(2) or 41.40.010(4): **PROVIDED FURTHER**, That no compensation received as an employee of the association shall be considered salary for purposes of the provisions of any retirement system created pursuant to the general laws of this state: **PROVIDED FURTHER**, That such association shall not qualify for inclusion under the unallocated two mills of the property tax of any political subdivision: **PROVIDED FURTHER**, That the association shall not have the authority to assess any excess levy or bond measure.

Passed the House May 27, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 4, 1975.

Filed in Office of Secretary of State June 4, 1975.

CHAPTER 173

[Engrossed Substitute Senate Bill No. 2423]

ALCOHOLIC BEVERAGE CONTROL

AN ACT Relating to intoxicating liquor; amending section 69, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 178, Laws of 1969 ex. sess. and RCW 66.08.050; amending section 1, chapter 38, Laws of 1967 and RCW 66.12.110; amending section 4, chapter 67, Laws of 1949 as last amended by section 7, chapter 209, Laws of 1973 1st ex. sess. and RCW 66.20.190; amending section 27, chapter 62, Laws of 1933 ex. sess. as last amended by section 1, chapter 66, Laws of 1974 ex. sess. and RCW 66.24.010; amending section 90, chapter 62, Laws of 1933 ex. sess. as last amended by section 6, chapter 217, Laws of 1937 and RCW 66.28.010; amending section 14, chapter 21, Laws of 1969 ex. sess. as amended by section 3, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.025; amending section 27-D added to chapter 62, Laws of 1933 ex. sess. by section 8, chapter 172, Laws of 1939 as amended by section 6, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.030; amending section 30, chapter 62, Laws of 1933 ex. sess. as last amended by section 7, chapter 21, Laws of 1969 ex. sess. and RCW 66.28.040; adding a new section to chapter 66.12 RCW; adding a new section to chapter 62, Laws of 1933 ex. sess. and to chapter 66.28 RCW; adding new sections to chapter 62, Laws of 1933 ex. sess. and to chapter 66.24 RCW; prescribing penalties; providing an effective date; and declaring an emergency.