

NEW SECTION. Sec. 10. If any provision of this 1977 amendatory 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 House March 8, 1977.

Passed the Senate March 4, 1977.

Approved by the Governor March 25, 1977.

Filed in Office of Secretary of State March 25, 1977.

CHAPTER 55

[Substitute House Bill No. 181]

PHYSICIAN'S TRAINED EMERGENCY PERSONNEL—DEFINITIONS— CERTIFICATION AND RECERTIFICATION—LIABILITY FOR ACTS OR OMISSIONS

AN ACT Relating to physicians; amending section 14, chapter 192, Laws of 1909 as last amended by section 3, chapter 171, Laws of 1975 1st ex. sess. and RCW 18.71.020; amending section 2, chapter 305, Laws of 1971 ex. sess. as amended by section 1, chapter 52, Laws of 1973 1st ex. sess. and RCW 18.71.200; amending section 3, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.210; and adding a new section to chapter 18.71 RCW.

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

Section 1. Section 14, chapter 192, Laws of 1909 as last amended by section 3, chapter 171, Laws of 1975 1st 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 in this state, without having, at the time of so doing, a valid, unrevoked 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 lifesaving service rendered by a physician's trained mobile intravenous therapy technician, by a physician's trained mobile airway management technician, or by a physician's trained mobile intensive care paramedic, as defined in RCW 18.71.200 as now or hereafter amended, if such emergency lifesaving 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. 2. Section 2, chapter 305, Laws of 1971 ex. sess. as amended by section 1, chapter 52, Laws of 1973 1st ex. sess. and RCW 18.71.200 are each amended to read as follows:

(1) As used in RCW 18.71.020 as now or hereafter amended, a "physician's trained mobile intravenous therapy technician" means a person who:

(a) Has successfully completed an emergency medical technician course as described in chapter 18.73 RCW;

(b) Is trained by an approved licensed physician to administer intravenous solutions under written or oral authorization of an approved licensed physician; and

(c) Has been examined and certified as a physician's trained mobile intravenous therapy technician by the University of Washington's school of medicine or the department of social and health services;

(2) As used in RCW 18.71.020 as now or hereafter amended, a "physician's trained mobile airway management technician" means a person who:

(a) Has successfully completed an emergency medical technician course as described in chapter 18.73 RCW;

(b) Is trained by an approved licensed physician to perform endotracheal airway management and other authorized aids to ventilation under written or oral authorization of an approved licensed physician; and

(c) Has been examined and certified as a physician's trained mobile airway management technician by the University of Washington's school of medicine or the department of social and health services; and

(3) As used in RCW 18.71.020 as now or hereafter amended, a "physician's trained mobile intensive care paramedic" means a person who:

~~((1))~~ (a) Has successfully completed an ~~((advanced first aid course equivalent to the advanced industrial first aid course prescribed by the division of industrial safety and health, department of labor and industries))~~ emergency medical technician course as described in chapter 18.73 RCW; ~~((and~~

~~((2))~~ (b) Is trained by an approved licensed physician:

~~((a))~~ (i) To carry out all phases of ~~((cardio-pulmonary resuscitation))~~ advanced cardiac life support;

~~((b))~~ (ii) To administer drugs under written or oral authorization of a licensed physician; and

~~((c))~~ (iii) To administer intravenous solutions under written or oral authorization of an approved licensed physician; and

(iv) To perform endotracheal airway management and other authorized aids to ventilation; and

~~((3))~~ (c) Has been examined and certified as a physician's trained mobile intensive care paramedic by ~~((a county health officer or by))~~ the University of Washington's school of medicine or by ~~((their designated representatives))~~ the department of social and health services.

NEW SECTION. Sec. 3. There is added to chapter 18.71 RCW a new section to read as follows:

(1) The secretary of the department of social and health services, in conjunction with the advice and assistance of the emergency medical and ambulance review committee as prescribed in RCW 18.73.050, and the board of medical examiners, shall prescribe:

(a) Minimum standards and performance requirements for the certification and recertification of physician's trained intravenous therapy technicians, airway management technicians, and mobile intensive care paramedics; and

(b) Procedures for certification, recertification, and decertification of physician's trained intravenous therapy technicians, airway management technicians, and mobile intensive care paramedics.

(2) Initial certification shall be for a period of two years.

(3) Recertification shall be granted upon proof of continuing satisfactory performance and education, and shall be for a period of two years.

(4) As used in chapter 18.71 RCW, "approved licensed physician" means a person who:

(a) Is licensed to practice medicine and surgery pursuant to chapter 18.71 RCW or osteopathy and surgery pursuant to chapter 18.57 RCW; and

(b) Is qualified and knowledgeable in the management of emergency care and services; and

(c) Is so certified by the department of social and health services.

Sec. 4. Section 3, chapter 305, Laws of 1971 ex. sess. and RCW 18.71.210 are each amended to read as follows:

No act or omission of any physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician, as defined in RCW 18.71.200 as now or hereafter amended, done or omitted in good faith while rendering emergency (~~lifesaving~~) medical service under the responsible supervision and control of a licensed physician to a person who is in (~~immediate~~) imminent danger of loss of life or has suffered grievous bodily injury shall impose any liability upon:

(1) The trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician;

(2) The supervising physician(;;);

(3) Any hospital, the officers, members of the staff, nurses, or other employees of a hospital (~~or upon~~);

(4) Any training agency or training physician;

(5) Any licensed ambulance service; or

(6) A federal, state, county, city or other local governmental unit or (~~upon other~~) employees of such a governmental unit(~~:-PROVIDED, That~~);

This section shall only apply to an act or omission committed or omitted in the performance of the actual emergency medical procedures and not in the commission or omission of an act which is not within the field of medical expertise of the physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician, as the case may be.

This section shall not relieve a physician or a hospital of any duty otherwise imposed by law upon such physician or hospital for the designation or training of a physician's trained mobile intensive care paramedic, intravenous therapy technician, or airway management technician (~~or~~), nor shall this section relieve any individual or other entity listed in this section of any duty otherwise imposed by law for the provision or maintenance of equipment to be used by the physician's trained mobile intensive care paramedics, intravenous therapy technicians, or airway management technicians.

This section shall not apply to any act or omission which constitutes either gross negligence or wilful or wanton conduct.

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Passed the Senate March 7, 1977.

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