

CHAPTER 204.

[ H. B. 329. ]

REBATES.

AN ACT relating to rebates, refunds and unearned discounts and prescribing penalties.

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

Persons engaged in practice of medicine or dentistry.

Unlawful to pay or offer to pay rebates, refunds, commissions, etc.

Unlawful to accept rebates, etc.

SECTION 1. It shall be unlawful for any person, firm, corporation or association, whether organized as a cooperative, or for profit or nonprofit, to pay, or offer to pay or allow, directly or indirectly, to any person licensed by the State of Washington to engage in the practice of medicine and surgery, drugless treatment in any form, or dentistry, and it shall be unlawful for such person to request, receive or allow, directly or indirectly, a rebate, refund, commission, unearned discount or profit by means of a credit or other valuable consideration in connection with the referral of patients to any person, firm, corporation or association, or in connection with the furnishings of medical, surgical or dental care, diagnosis, treatment or service, on the sale, rental, furnishing or supplying of clinical laboratory supplies or services of any kind, or any other goods, services or supplies prescribed for medical diagnosis, care or treatment.

Penalty for violations.

Any person violating the provisions of this section is guilty of a misdemeanor.

Acceptance is unprofessional conduct.

SEC. 2. The acceptance by any person so licensed of any rebate, refund, commission or unearned discount, whether in the form of money or otherwise, as compensation for referring patients to any person, firm, corporation or association, constitutes unprofessional conduct.

Revocation or suspension of license.

SEC. 3. The license of any person so licensed may be revoked or suspended if he has directly or indirectly requested, received or participated in the division, transference, assignment, rebate, splitting

or refunding of a fee for, or has directly or indirectly requested, received or profited by means of a credit or other valuable consideration as a commission, discount or gratuity in connection with the furnishing of medical, surgical or dental care, diagnosis or treatment or service, including X-ray examination and treatment, or for or in connection with the sale, rental, supplying or furnishing of clinical laboratory service or supplies, X-ray services or supplies, inhalation therapy service or equipment, ambulance service, hospital or medical supplies, physiotherapy or other therapeutic service or equipment, artificial limbs, teeth or eyes, orthopedic or surgical appliances or supplies, optical appliances, supplies or equipment, devices for aid of hearing, drugs, medication or medical supplies or any other goods, services or supplies prescribed for medical diagnosis, care or treatment, except payment, not to exceed thirty three and one-third per cent ( $33\frac{1}{3}\%$ ) of any fee received for X-ray examination, diagnosis or treatment, to any hospital furnishing facilities for such examination, diagnosis or treatment.

Causes for  
revocation  
or sus-  
pension.

SEC. 4. It is the intent of this article, and this article shall be so construed, that persons so licensed shall only be authorized by law to charge or receive compensation for professional services rendered if such services are actually rendered by the licensee and not otherwise: *Provided, however,* That it is not intended to prohibit two or more licensees who practice their profession as copartners to charge or collect compensation for any professional services by any member of the firm, or to prohibit a licensee who employs another licensee to charge or collect compensation for professional services rendered by the employee licensee.

Purpose  
of act.

Proviso.

Passed the House February 26, 1949.

Passed the Senate March 7, 1949.

Approved by the Governor March 19, 1949.