
SUBSTITUTE SENATE BILL 5846

State of Washington

66th Legislature

2019 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Saldaña, Hasegawa, Randall, Nguyen, Wilson, C., Keiser, Das, Cleveland, and Dhingra)

READ FIRST TIME 02/22/19.

1 AN ACT Relating to the integration of international medical
2 graduates into Washington's health care delivery system; reenacting
3 and amending RCW 43.84.092; and adding a new chapter to Title 70 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires
7 otherwise.

8 (1) "Department" means the department of health.

9 (2) "International medical graduate" means a physician who
10 received a basic medical degree or qualification from a medical
11 school located outside the United States or Canada.

12 (3) "Rural community" means a community located in a "rural
13 county" as defined in RCW 82.14.370.

14 (4) "Secretary" means the secretary of the department of health.

15 (5) "Underserved community" means any medically underserved area
16 or medically underserved population as designated by the department.

17 (6) "Washington international medical graduate" means an
18 international medical graduate who has lived in Washington state for
19 at least two years.

1 NEW SECTION. **Sec. 2.** The international medical graduate
2 assistance program is established to be administered by the
3 department. In developing and administering the program, the
4 secretary shall:

5 (1) Provide overall coordination for the planning, development,
6 and implementation of a comprehensive system for integrating
7 qualified international medical graduates into the Washington health
8 care delivery system, particularly those willing to serve in rural or
9 underserved communities of the state;

10 (2) Develop and maintain, in partnership with community
11 organizations working with international medical graduates, a
12 voluntary roster of international medical graduates interested in
13 entering the Washington health care workforce to assist in planning
14 and program administration, including making available summary
15 reports that show the aggregate number and distribution, by geography
16 and specialty, of international medical graduates in Washington;

17 (3) Work with graduate clinical medical training programs to
18 address barriers faced by international medical graduates in securing
19 residency positions in Washington, including the requirement that
20 applicants for residency positions be recent graduates of medical
21 school. The biennial report required in section 10 of this act must
22 include any progress in addressing these barriers;

23 (4) Develop a system to assess and certify the clinical readiness
24 of eligible international medical graduates to serve in a residency
25 program. The system must include assessment methods, an operating
26 plan, and a budget. Initially, the secretary must develop assessments
27 for clinical readiness for practice of one or more primary care
28 specialties, including family medicine, pediatrics, internal
29 medicine, and psychiatry, and must add additional assessments as
30 resources are available. The secretary may contract with an
31 independent entity or another state agency to conduct the
32 assessments. In order to be assessed for clinical readiness for
33 residency, an eligible international medical graduate must have
34 obtained a certification from the educational commission for foreign
35 medical graduates. The secretary shall issue a Washington certificate
36 of residency readiness to those who pass the assessment;

37 (5) Explore and facilitate streamlined pathways for international
38 medical graduates to serve in nonphysician professions in the
39 Washington workforce; and

1 (6) Study, in consultation with the medical quality assurance
2 commission and other stakeholders, changes necessary in health
3 professional licensure and regulation to ensure full utilization of
4 international medical graduates in the Washington health care
5 delivery system. The secretary shall include recommendations in the
6 biennial report required under section 10 of this act.

7 NEW SECTION. **Sec. 3.** Subject to the availability of amounts
8 appropriated for this specific purpose, the secretary must develop a
9 grant program and award grants to eligible nonprofit organizations to
10 provide career guidance and support services to international medical
11 graduates seeking to enter the Washington health care workforce.
12 Eligible grant activities include the following:

13 (1) Educational and career navigation, including information on
14 training and licensing requirements for physician and nonphysician
15 health care professions, and guidance in determining which pathway is
16 best suited for an individual international medical graduate based on
17 the individual's skills, experience, resources, and interests;

18 (2) Support in becoming proficient in medical English;

19 (3) Support in becoming proficient in the use of information
20 technology, including computer skills and use of electronic health
21 record technology;

22 (4) Support for increasing knowledge of and familiarity with the
23 United States health care system;

24 (5) Support for other foundational skills identified by the
25 secretary;

26 (6) Support for international medical graduates in becoming
27 certified by the educational commission for foreign medical
28 graduates, including help with preparation for required licensing
29 examinations and financial assistance for fees; and

30 (7) Assistance to international medical graduates in registering
31 with the program's Washington international medical graduate roster.

32 NEW SECTION. **Sec. 4.** (1) Subject to the availability of amounts
33 appropriated for this specific purpose, the secretary must develop a
34 grant program and award grants to clinical sites to provide
35 experience to Washington international medical graduates who need
36 additional clinical preparation or experience to qualify for
37 residency. The grant program must include:

1 (a) Proposed training curricula consistent with nationally
2 accredited training standards;

3 (b) Policies and procedures for clinical training sites, which
4 must be part of existing clinical medical training programs in
5 Washington state; and

6 (c) Monthly stipends for international medical graduate
7 participants.

8 (2) Priority must be given to primary care sites in rural or
9 underserved areas of the state, and international medical graduate
10 participants must commit to serving at least five years in a rural or
11 underserved community of the state following graduation from a
12 residency program.

13 (3) The policies and procedures for the clinical preparation
14 grants must be developed by January 1, 2022, including an
15 implementation schedule that begins awarding grants to clinical
16 preparation programs beginning in June 2022.

17 NEW SECTION. **Sec. 5.** (1) The international medical graduate
18 residency account is created in the state treasury. All receipts from
19 section 6(2) of this act must be deposited into the account.
20 Earnings, such as interest, dividends, and any other earnings arising
21 from account assets, must be credited to the account in accordance
22 with RCW 43.84.092. Moneys in the account may be spent only after
23 appropriation. Expenditures from the account may be used only to
24 award grants and administer the primary care residency grant program
25 established in section 6 of this act. Funds deposited in the account
26 do not expire.

27 (2) Private entities may contribute to the international medical
28 graduate residency account subject to the following provisions:

29 (a) The contributing entity may not specify the recipient or
30 recipients of any grant issued under section 6 of this act;

31 (b) The secretary shall make public the identity of any private
32 contributor to the account, as well as the amount of the contribution
33 provided; and

34 (c) A contributing entity may not specify that the recipient or
35 recipients of any funds use specific products or services, nor may
36 the contributing entity imply that a contribution is an endorsement
37 of any specific product or service.

1 NEW SECTION. **Sec. 6.** (1) Subject to the availability of amounts
2 appropriated for this specific purpose, the secretary must award
3 grants to support primary care residency positions designated for
4 Washington international medical graduates who are willing to serve
5 in rural or underserved areas of the state. A grant may not exceed
6 one hundred fifty thousand dollars per residency position per year.
7 Eligible primary care residency grant recipients include accredited
8 family medicine, internal medicine, obstetrics and gynecology,
9 psychiatry, and pediatric residency programs. Eligible residency
10 programs must apply to the department in the manner designated by the
11 secretary. Applications must include the number of anticipated
12 residents to be funded using grant funds and a budget. Funds awarded
13 to grantees in a grant agreement do not lapse until the grant
14 agreement expires. Before any funds are distributed, a grant
15 recipient must provide the department with the following:

16 (a) A copy of the signed contract between the primary care
17 residency program and the participating Washington international
18 medical graduate;

19 (b) Certification that the participating Washington international
20 medical graduate has lived in Washington for at least two years and
21 is certified by the educational commission for foreign medical
22 graduates. Residency programs may also require that a participating
23 Washington international medical graduate hold a Washington
24 certificate of clinical readiness for residency, once the
25 certificates become available; and

26 (c) Verification that the participating Washington international
27 medical graduate has executed a participant agreement pursuant to
28 subsection (2) of this section.

29 (2) Upon acceptance by a participating grant-funded residency
30 program, the Washington international medical graduate must enter
31 into an agreement with the secretary and the appropriate regulatory
32 authority to provide primary care for at least five years in a rural
33 or underserved area of Washington after graduating from the residency
34 program and make payments to the international medical graduate
35 residency account created in section 5 of this act for five years
36 beginning in the second year of postresidency employment.
37 Participants must pay fifteen thousand dollars or ten percent of the
38 participant's annual gross compensation each year, whichever is less.

1 NEW SECTION. **Sec. 7.** A hospital may establish residency
2 positions, or create a residency program for international medical
3 graduates to become candidates for licensure in Washington state. A
4 hospital may partner with nonprofit organizations to develop, screen
5 for, and identify international medical graduates eligible for a
6 hospital's particular residency program. A hospital may receive
7 grants from a nonprofit organization to train international medical
8 graduates who are eligible for a hospital's particular residency
9 program.

10 NEW SECTION. **Sec. 8.** Nothing in this chapter alters the
11 authority of the medical quality assurance commission for regulating
12 the practice of medicine in Washington.

13 NEW SECTION. **Sec. 9.** The department must establish an oversight
14 committee to provide consultation and oversight in the development
15 and administration of the international medical graduate assistance
16 program, including the grant programs established in sections 3, 4,
17 and 6 of this act. The oversight committee must be comprised of the
18 following:

19 (1) A representative from the medical quality assurance
20 commission;

21 (2) A representative from the University of Washington school of
22 medicine;

23 (3) A representative from the Washington State University Elson
24 S. Floyd college of medicine;

25 (4) A representative from a primary care health care employer in
26 a rural or underserved area of Washington;

27 (5) A representative from a health carrier offering coverage in a
28 rural or underserved area of Washington;

29 (6) A licensed physician with experience working with
30 international medical graduates;

31 (7) A representative from an organization specializing in refugee
32 advocacy in Washington;

33 (8) A representative from an organization serving refugee
34 physicians and international medical graduates;

35 (9) A representative from an organization offering counseling and
36 educational programs to internationally trained health professionals;

37 (10) A representative from an organization representing community
38 and migrant health centers; and

1 (11) At least two international medical graduates.

2 NEW SECTION. **Sec. 10.** Beginning January 1, 2021, and biennially
3 thereafter, the secretary, in consultation with the medical quality
4 assurance commission and the board of osteopathic medicine and
5 surgery, must submit an annual report to the legislature on the
6 progress of the integration of international medical graduates into
7 the Washington health care delivery system. The report must include
8 recommendations on actions needed for continued progress integrating
9 international medical graduates, including any progress in addressing
10 barriers described in section 2(3) of this act and the
11 recommendations required in section 2(6) of this act.

12 NEW SECTION. **Sec. 11.** The department may adopt any rules
13 necessary to implement the requirements of this chapter.

14 NEW SECTION. **Sec. 12.** Sections 1 through 11 of this act
15 constitute a new chapter in Title 70 RCW.

16 **Sec. 13.** RCW 43.84.092 and 2018 c 287 s 7, 2018 c 275 s 10, and
17 2018 c 203 s 14 are each reenacted and amended to read as follows:

18 (1) All earnings of investments of surplus balances in the state
19 treasury shall be deposited to the treasury income account, which
20 account is hereby established in the state treasury.

21 (2) The treasury income account shall be utilized to pay or
22 receive funds associated with federal programs as required by the
23 federal cash management improvement act of 1990. The treasury income
24 account is subject in all respects to chapter 43.88 RCW, but no
25 appropriation is required for refunds or allocations of interest
26 earnings required by the cash management improvement act. Refunds of
27 interest to the federal treasury required under the cash management
28 improvement act fall under RCW 43.88.180 and shall not require
29 appropriation. The office of financial management shall determine the
30 amounts due to or from the federal government pursuant to the cash
31 management improvement act. The office of financial management may
32 direct transfers of funds between accounts as deemed necessary to
33 implement the provisions of the cash management improvement act, and
34 this subsection. Refunds or allocations shall occur prior to the
35 distributions of earnings set forth in subsection (4) of this
36 section.

1 (3) Except for the provisions of RCW 43.84.160, the treasury
2 income account may be utilized for the payment of purchased banking
3 services on behalf of treasury funds including, but not limited to,
4 depository, safekeeping, and disbursement functions for the state
5 treasury and affected state agencies. The treasury income account is
6 subject in all respects to chapter 43.88 RCW, but no appropriation is
7 required for payments to financial institutions. Payments shall occur
8 prior to distribution of earnings set forth in subsection (4) of this
9 section.

10 (4) Monthly, the state treasurer shall distribute the earnings
11 credited to the treasury income account. The state treasurer shall
12 credit the general fund with all the earnings credited to the
13 treasury income account except:

14 (a) The following accounts and funds shall receive their
15 proportionate share of earnings based upon each account's and fund's
16 average daily balance for the period: The abandoned recreational
17 vehicle disposal account, the aeronautics account, the aircraft
18 search and rescue account, the Alaskan Way viaduct replacement
19 project account, the brownfield redevelopment trust fund account, the
20 budget stabilization account, the capital vessel replacement account,
21 the capitol building construction account, the Cedar River channel
22 construction and operation account, the Central Washington University
23 capital projects account, the charitable, educational, penal and
24 reformatory institutions account, the Chehalis basin account, the
25 cleanup settlement account, the Columbia river basin water supply
26 development account, the Columbia river basin taxable bond water
27 supply development account, the Columbia river basin water supply
28 revenue recovery account, the common school construction fund, the
29 community forest trust account, the connecting Washington account,
30 the county arterial preservation account, the county criminal justice
31 assistance account, the deferred compensation administrative account,
32 the deferred compensation principal account, the department of
33 licensing services account, the department of licensing tuition
34 recovery trust fund, the department of retirement systems expense
35 account, the developmental disabilities community trust account, the
36 diesel idle reduction account, the drinking water assistance account,
37 the drinking water assistance administrative account, the early
38 learning facilities development account, the early learning
39 facilities revolving account, the Eastern Washington University
40 capital projects account, the Interstate 405 express toll lanes

1 operations account, the education construction fund, the education
2 legacy trust account, the election account, the electric vehicle
3 charging infrastructure account, the energy freedom account, the
4 energy recovery act account, the essential rail assistance account,
5 The Evergreen State College capital projects account, the federal
6 forest revolving account, the ferry bond retirement fund, the freight
7 mobility investment account, the freight mobility multimodal account,
8 the grade crossing protective fund, the public health services
9 account, the high capacity transportation account, the state higher
10 education construction account, the higher education construction
11 account, the highway bond retirement fund, the highway infrastructure
12 account, the highway safety fund, the high occupancy toll lanes
13 operations account, the hospital safety net assessment fund, the
14 industrial insurance premium refund account, the international
15 medical graduate residency account, the judges' retirement account,
16 the judicial retirement administrative account, the judicial
17 retirement principal account, the local leasehold excise tax account,
18 the local real estate excise tax account, the local sales and use tax
19 account, the marine resources stewardship trust account, the medical
20 aid account, the mobile home park relocation fund, the money-purchase
21 retirement savings administrative account, the money-purchase
22 retirement savings principal account, the motor vehicle fund, the
23 motorcycle safety education account, the multimodal transportation
24 account, the multiuse roadway safety account, the municipal criminal
25 justice assistance account, the natural resources deposit account,
26 the oyster reserve land account, the pension funding stabilization
27 account, the perpetual surveillance and maintenance account, the
28 pollution liability insurance agency underground storage tank
29 revolving account, the public employees' retirement system plan 1
30 account, the public employees' retirement system combined plan 2 and
31 plan 3 account, the public facilities construction loan revolving
32 account beginning July 1, 2004, the public health supplemental
33 account, the public works assistance account, the Puget Sound capital
34 construction account, the Puget Sound ferry operations account, the
35 Puget Sound taxpayer accountability account, the real estate
36 appraiser commission account, the recreational vehicle account, the
37 regional mobility grant program account, the resource management cost
38 account, the rural arterial trust account, the rural mobility grant
39 program account, the rural Washington loan fund, the sexual assault
40 prevention and response account, the site closure account, the

1 skilled nursing facility safety net trust fund, the small city
2 pavement and sidewalk account, the special category C account, the
3 special wildlife account, the state employees' insurance account, the
4 state employees' insurance reserve account, the state investment
5 board expense account, the state investment board commingled trust
6 fund accounts, the state patrol highway account, the state route
7 number 520 civil penalties account, the state route number 520
8 corridor account, the state wildlife account, the statewide tourism
9 marketing account, the student achievement council tuition recovery
10 trust fund, the supplemental pension account, the Tacoma Narrows toll
11 bridge account, the teachers' retirement system plan 1 account, the
12 teachers' retirement system combined plan 2 and plan 3 account, the
13 tobacco prevention and control account, the tobacco settlement
14 account, the toll facility bond retirement account, the
15 transportation 2003 account (nickel account), the transportation
16 equipment fund, the transportation future funding program account,
17 the transportation improvement account, the transportation
18 improvement board bond retirement account, the transportation
19 infrastructure account, the transportation partnership account, the
20 traumatic brain injury account, the tuition recovery trust fund, the
21 University of Washington bond retirement fund, the University of
22 Washington building account, the volunteer firefighters' and reserve
23 officers' relief and pension principal fund, the volunteer
24 firefighters' and reserve officers' administrative fund, the
25 Washington judicial retirement system account, the Washington law
26 enforcement officers' and firefighters' system plan 1 retirement
27 account, the Washington law enforcement officers' and firefighters'
28 system plan 2 retirement account, the Washington public safety
29 employees' plan 2 retirement account, the Washington school
30 employees' retirement system combined plan 2 and 3 account, the
31 Washington state health insurance pool account, the Washington state
32 patrol retirement account, the Washington State University building
33 account, the Washington State University bond retirement fund, the
34 water pollution control revolving administration account, the water
35 pollution control revolving fund, the Western Washington University
36 capital projects account, the Yakima integrated plan implementation
37 account, the Yakima integrated plan implementation revenue recovery
38 account, and the Yakima integrated plan implementation taxable bond
39 account. Earnings derived from investing balances of the agricultural
40 permanent fund, the normal school permanent fund, the permanent

1 common school fund, the scientific permanent fund, the state
2 university permanent fund, and the state reclamation revolving
3 account shall be allocated to their respective beneficiary accounts.

4 (b) Any state agency that has independent authority over accounts
5 or funds not statutorily required to be held in the state treasury
6 that deposits funds into a fund or account in the state treasury
7 pursuant to an agreement with the office of the state treasurer shall
8 receive its proportionate share of earnings based upon each account's
9 or fund's average daily balance for the period.

10 (5) In conformance with Article II, section 37 of the state
11 Constitution, no treasury accounts or funds shall be allocated
12 earnings without the specific affirmative directive of this section.

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