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Medical Commission

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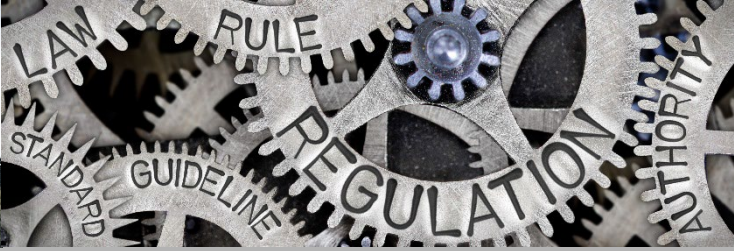
How Can The WMC Help You?

John Maldon, WMC Chair

April Jaeger, Physician Member

Melanie de Leon, WMC Executive Director

Freda Pace, WMC Director of Investigations



Questions

Questions will be answered at the end. You can submit a question at any time through the question module.



Tech Issues

Look for the 'Help' button at the top of the webinar control panel.



Presentation

The slide deck and presentation recording will be available on our website within the next few days.



Stay Connected

Follow us @WAMedCommission and use #WMC to share what you learn.



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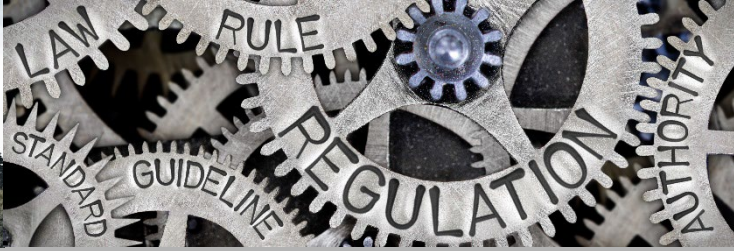


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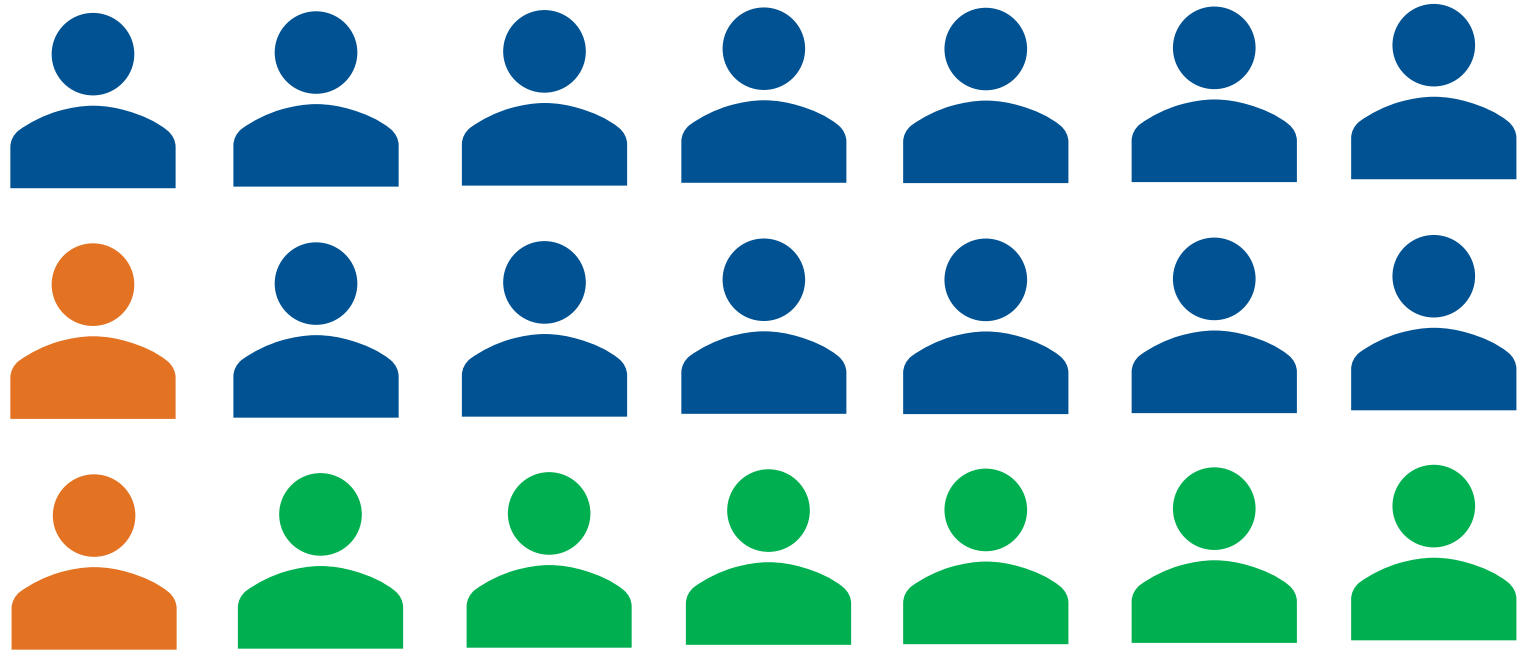


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Medical Commission: WHO



Physician

Physician Assistant

Public Member



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Medical Commission: WHY

Purpose

1. Protect the public by assuring quality healthcare is provided by physicians and physician assistants.
2. Establishes, monitors, and enforces qualifications for:
 - Licensure
 - consistent standards of practice,
 - continuing competency.
3. Rules, policies, and procedures developed by the Medical Commission promote the delivery of quality healthcare to the people in Washington.

Code of Ethics

Commissioners shall:

- Make fair and objective decisions.
- Strictly maintain confidentiality.
- Avoid improper ex parte contacts.
- Recuse themselves when there is a real or potential conflict of interest, or the appearance of such a conflict.
- Protect the integrity of those who appear before the commission.



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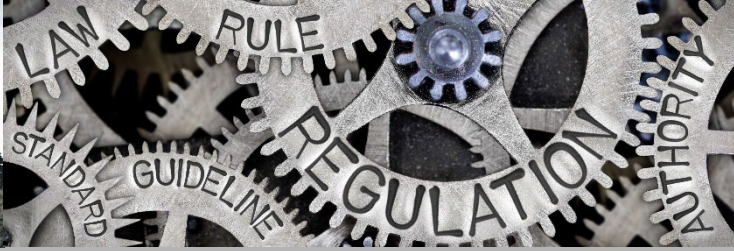


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Jurisdiction

- We Oversee
 - Allopathic Physicians (MD)
 - Physician Assistants (PA or PA-C)
- We issue these license types and have the authority to put limitations on the licenses if needed.
- We do NOT Oversee:
 - Osteopathic Physicians (DO)
 - Nurses
 - Naturopaths
 - Medical assistants
 - Facilities
 - Optometrists



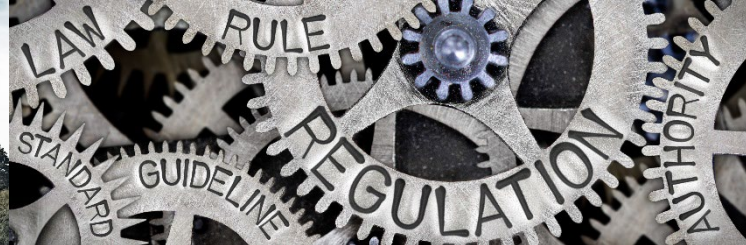
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Website Resources

Patient Toolkit

Patient Bill of Rights

Be More Involved in Your Health Care

Tips for Patients

This infographic gives you tips to use before, during, and after your medical appointment to make sure you get the best possible care.

One way you can make sure you get good quality health care is to be an active member of your health care team.

Patients who talk with their doctors tend to be happier with their care and have better medical results.

Before Your Appointment

Bring all the medicines you take to your appointment this includes:

- Prescription medicines
- Non-prescription medicines, such as aspirin or antacids
- Vitamins

Questions to Prepare

Talk about a health problem?

Get or change a medicine?



Patients' Rights and Responsibilities

This is a resource that provides patients with their rights and responsibilities over the course of their health care encounters. This document is for informational purposes only and is not legally binding. It simply provides goals and expectations for patient treatment.

It is your right as a patient:

1. To be treated with respect regardless of race, sex, gender, color, religion, age, marital status, sexual orientation, disability, or other condition.
2. To have your privacy protected.
3. To be treated in a clean and safe environment.
4. To request a chaperone during your evaluation and to decline treatment if one cannot be provided.
5. To discuss your health concerns and treatment plan with your practitioner.
6. To be advised of care options and when certain treatments are no longer appropriate.
7. To give informed consent prior to the start of any procedure and/or treatment.
8. To expect reasonable continuity of care and appropriate referral to other practitioner(s).
9. To refuse treatment even if it is recommended by your practitioner.
10. To have timely access to your medical records.

It is your responsibility as a patient:

1. To provide, to the best of your knowledge, accurate and complete information about past illness, hospitalizations, medications, and other matters relating to your health.
2. To recognize the impact of your lifestyle, occupation and family history on your personal health.
3. To actively participate in decisions about how to manage your health and/or pain.
4. To request additional information or clarification about your health status or treatment when you do not fully understand the information or instructions.
5. To comply with the treatment plan, including follow-up care.
6. To inform your practitioner if you anticipate problems following your treatment plan.
7. To be respectful of the facility, the practitioners, staff members and other patients.
8. To arrive on time and notify the facility in advance when appointments cannot be kept.
9. To make sure that the facility has a copy of your written advance directive (living will, power of attorney, DNR, POLST, etc.), if you have one.



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Abilities and Restrictions

We Investigate

- Complaints where care was below the acceptable standard.
- Substance abuse.
- Inappropriate prescribing.
- Allegations of sexual misconduct.
- False advertising.
- Fraud.

We CANNOT Investigate

- Long wait times.
- Billing disputes.
- Communication / 'Rudeness'.
- Errors in the medical record.



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Common Billing Issues

The Commission does not have jurisdiction to investigate billing disputes.

Resources for medical billing disputes:

- Contact the hospital or clinic
- Contact your insurance company
- Contact the Office of the Insurance Commissioner 1 (800) 562-6900
- If you have Medicare, contact Medicare 1 (800) 633-4227
- If you have Medicaid, contact the Washington State Office of the Attorney General's Medicaid Fraud Control Unit (360) 586-8888
- Contact the Labor & Industries Health Care Provider Fraud department at (360) 902-6847 or email ProviderFraud@lni.wa.gov.



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How to Obtain Your Medical Records

- You must send your health care provider a request for medical records in writing.
- If sending your request by mail, certified delivery is recommended.
- Your health care provider has up to 15 working days to respond to your request.
- For more information about access to medical records, please refer to [RCW 70.02](#) and [RCW 70.02.080](#).



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How to file a Complaint

- There are two ways to file a complaint:
 - [Online](#)
 - Print and Mail to [WMC Office](#)
- Please ensure your complaint includes:
 - First and last name of your health care provider
 - If there is more than one provider listed in your complaint – clearly indicate which one you are making the complaint against.
 - Location (address) where you received health care services
 - Detailed timeline of events of your health care services
 - Explanation of the issues of your complaint
- Be as detailed as you can be when telling us what happened.



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Why Are Some Complaints Not Investigated?

- We are bound by the [Uniform Disciplinary Act](#) (UDA).
 - If your complaint deals with issues outside of that – we can't help.
- There is not enough information in the complaint.
- The provider was not identified
- The complaint is against a profession other than MD/PA.
- Too much time has passed since the original incident.
- The issue has been resolved since the incident occurred and when the complaint was filed.
- The whistle blower waiver (WBW) was not returned to us within 30 days.



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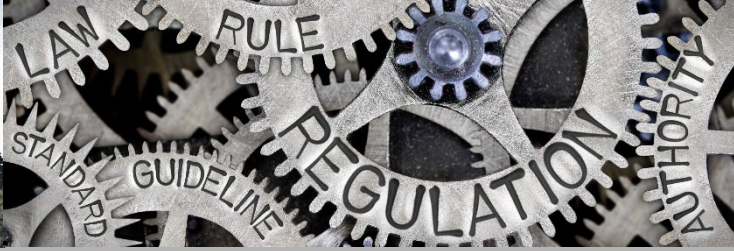


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The WMC Cannot...

- Help you sue a physician or physician assistant for money.
- Handle a fee dispute between you and your physician or physician assistant.
- Return any money you feel you are owed.
- Resolve questions about disability compensation or insurance reimbursement.
- Resolve issues involving rudeness by a physician or physician assistant or their staff.
- Resolve issues involving typing errors, miscommunication, or a mistake of facts.



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Whistleblower Waivers

- If you are the patient, employee of the institution where the healthcare was provided or a healthcare professional, your identity is confidential pursuant to RCW 43.70.075, unless you waive that right.
- We may not be able to investigate a case without releasing the identity of the patient or the person filing the complaint.
- A Whistleblower Waiver (WBW) is a form that allows us to release your identity.
- We need this to obtain your medical records.



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Should I File a Complaint with the Hospital or WMC?

Hospital

- Being seen timely at the ER
- Personnel / HR issues
- Billing
- COVID protocols
- Rude staff
- Communication (written or verbal)
- Surgery schedules
- Bad food
- Dirty facilities

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- When it is directly related to the care you received from a MD/PA.
- When you suspect that the provider does not have a license to practice medicine.
- When you feel you have been sexually assaulted.
- When you suspect that the provider has a substance use issue.
- An instance of physical or verbal abuse.



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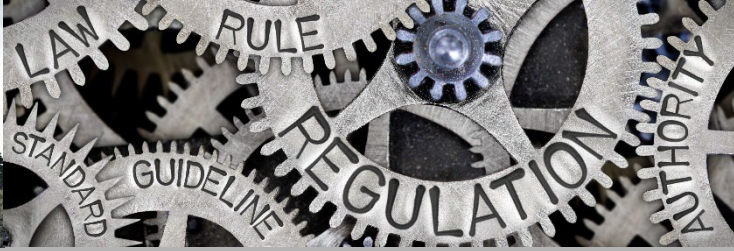


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Frequently Asked Questions



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Can my healthcare provider refuse to give me copies of my medical records because of an outstanding balance?

A MD or PA may charge a fee before your medical records are released.

They cannot withhold records because of an outstanding balance on your account.

[RCW 70.02](#) and [RCW 70.02.080](#).



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Can I Make a Complaint Without Giving my Name?

Yes – if you are protected under whistleblower laws, your identity can remain confidential.

You can submit a complaint without giving your name

Complaints that do not include the name of the patient or person(s) involved are difficult to investigate.

Your identity may be necessary in order to question the physician, physician assistant or witnesses and to secure your medical records if they are needed for the investigation. In that event, you would be asked to complete a release of confidentiality and would be given the necessary information to make a decision.



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Can the WMC Send a physician or physician assistant to jail?

No

The Medical Commission does not have the authority to invoke or enforce criminal or civil penalties. Authority is limited to taking corrective action against a physician or physician assistants license in order to prevent harm and protect the health and safety of the public.



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Is there a time limit to file a complaint?

No.

There is no legal time limit to file a complaint; however, it is possible that a case cannot be acted upon because the information needed to make a decision is no longer available.

It is best to report as soon as possible so the records can be obtained, and potential witnesses can be located.



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My Doctor told me they do not want me as a patient anymore. Can they do that?

Yes

A medical provider can terminate the physician-patient relationship just as a patient can end the relationship if they feel it is no longer mutually productive.

The provider cannot abandon a patient and generally must provide 30 days of emergency care or provide care until the patient establishes care with a new provider.



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What part will I play after filing a complaint?

You will likely be asked to sign a release to waive your right to confidentiality so that your complaint can be investigated.

Additional information may be asked of you, either by letter or interview during the investigation. You may be required to testify if a formal hearing is necessary.



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Q&A

Mission

Promoting patient safety and enhancing the integrity of the profession through licensing, discipline, rule making, and education.

Vision

Advancing the optimal level of medical care for the people of Washington State.

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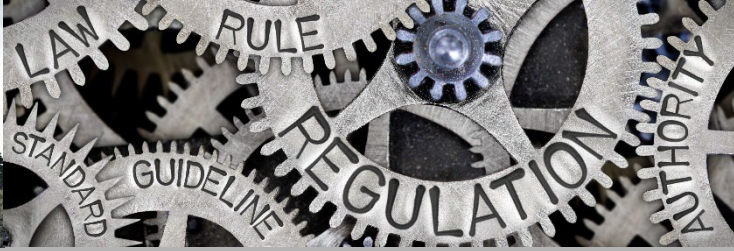


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Upcoming Webinars

- **Healthcare 101: How to be an Informed Patient**
March 1 12:00 – 1:00 PM PST
- **Your Rights as a Patient**
March 15th, 11:00 – 12:00 PM PST
- Follow us on social media to learn about additional webinars as they are announced.
- More information and registration is available on [our website](#).



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