

---

HOUSE BILL 2132

---

State of Washington

53rd Legislature

1993 Regular Session

By Representative Dellwo

Read first time 04/13/93. Referred to Committee on Health Care.

1 AN ACT Relating to nurse delegation; adding new sections to chapter  
2 74.04 RCW; and adding a new section to chapter 18.88A RCW.

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

4 NEW SECTION. **Sec. 1.** There is need to provide economical, quality  
5 care in the community long-term care program of the department of  
6 social and health services. In order to do this the legislature finds  
7 that trained unlicensed persons should be allowed to help in the care  
8 of persons in the community long-term care system, with nurse  
9 delegation, training, and supervision.

10 NEW SECTION. **Sec. 2.** As used in section 3 of this act:

11 (1) "Stable condition" means a situation where the client's  
12 clinical and behavioral status and nursing care needs are determined by  
13 the registered nurse to be nonfluctuating and consistent. Excluded  
14 from this definition is a situation where the client's clinical and  
15 behavioral status is changing and where frequent reassessment by a  
16 registered nurse is needed.

17 (2) "Unlicensed person" means an individual who is not licensed to  
18 practice nursing, medicine, or any other health occupation requiring a

1 license in Washington state, but who provides basic or special tasks of  
2 nursing/client care in the following settings: Adult family homes and  
3 assisted living settings. For the purposes of section 3 of this act,  
4 a nursing assistant-certified, as defined by RCW 18.88A.020, is an  
5 unlicensed person. For the purpose of section 3 of this act and rules  
6 adopted under section 3 of this act, unlicensed persons do not include  
7 members of the client's immediate family. Family members may perform  
8 tasks of nursing without specific delegation from a registered nurse  
9 per RCW 18.88.030.

10 NEW SECTION. **Sec. 3.** (1) In accordance with rules adopted jointly  
11 by the department of health and the department of social and health  
12 services, trained unlicensed persons employed in the community-based  
13 long-term care service system regulated by the department of social and  
14 health services shall be allowed to administer; provided that expansion  
15 or contraction of task delegation within the scope of this subsection  
16 shall be at the discretion of the delegating registered nurse and will  
17 be based upon the registered nurse's assessment of the skills of the  
18 unlicensed person.

- 19 (a) Oral medication;  
20 (b) Topical medication, including ear, nose, and eye drops;  
21 (c) Changing sterile dressings;  
22 (d) Suppositories and unit dose enemas;  
23 (e) Home blood glucose testing and monitoring;  
24 (f) Injectable insulin;  
25 (g) Gastrostomy tube feedings;  
26 (h) Clean intermittent catheterization;  
27 (i) Inhalants; and  
28 (j) Oro-pharyngeal suctioning.

29 (2) The rules shall provide for the following and such other  
30 matters as deemed necessary to the proper implementation of this  
31 section, including:

32 (a) Such care as shall be delegated and taught, which shall be  
33 ordered by a health care practitioner licensed under Title 18 RCW, and  
34 who has prescriptive authority. If the registered nurse obtains verbal  
35 orders amending the existing orders, the verbal orders shall be reduced  
36 to writing per standards established by rule.

37 (b) A requirement that such delegation be made only in the case of  
38 stable clients not requiring ongoing nursing assessment.

1 (c) A requirement that a registered nurse perform an assessment  
2 including a plan of risk management.

3 (d) A requirement for appropriate training using standards  
4 established jointly by the department of health and the department of  
5 social and health services, which should include such matters as return  
6 demonstrations, and other quality control checks.

7 (e) A requirement that there be written instructions and  
8 appropriate supervision of the trained unlicensed person, which may be  
9 indirect.

10 (f) A requirement that each unlicensed person be allowed to only  
11 perform delegated tasks for a client for which they have been trained;  
12 such training shall not be transferable, but shall be specific to each  
13 client.

14 (g) A requirement that the trained unlicensed person follow  
15 directions, or take appropriate corrective action upon notice of  
16 inappropriate care to comply with the care plan and directions of the  
17 supervising nurse in charge, and the department of social and health  
18 services shall take action to discipline or to prevent further  
19 inappropriate care by any contract provider or licensee.

20 (h) A requirement that each nurse involved, or any agency involved  
21 in providing care shall keep a list of each person to whom tasks have  
22 been delegated, and the training, and the results of each follow-up  
23 visit; such record shall be distinct from any clinical record.

24 (i) A requirement that an appropriate quality assurance system be  
25 developed, including both evaluation of the program, individual  
26 clients, and outcomes, and a method to make regular adjustments in the  
27 program or level of care of clients, and the training of trained  
28 unlicensed persons.

29 (j) A requirement that appropriate protocols and procedures be  
30 developed, and that there be an ongoing mechanism to revise and update  
31 such policies.

32 (3) The accountability of a registered nurse providing services  
33 under this chapter shall be limited to the assessment, training,  
34 evaluation, delegation, and plan for supervision as defined in this  
35 chapter.

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.88A RCW  
37 to read as follows:

1       Sections 1 through 3 of this act do not apply to persons working in  
2 community-based long-term care service system regulated by the  
3 department of social and health services. The department of social and  
4 health services shall keep a registry of those persons working as  
5 trained unlicensed persons.

6       NEW SECTION.   **Sec. 5.** Sections 1 through 3 of this act are each  
7 added to chapter 74.04 RCW.

--- END ---