

HOUSE BILL REPORT

HB 1920

As Reported by House Committee On:
Judiciary

Title: An act relating to medical reports in guardianship proceedings by advanced registered nurse practitioners.

Brief Description: Allowing medical reports in guardianship proceedings by advanced registered nurse practitioners.

Sponsors: Representatives Carrell, Lantz, Cody and Campbell.

Brief History:

Committee Activity:

Judiciary: 2/22/01 [DPS].

Brief Summary of Substitute Bill

- In a guardianship proceeding, allows an advanced registered nurse practitioner to submit the required health care report regarding the person's alleged incapacity.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Carrell, Republican Co-Chair; Lantz, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Casada, Dickerson, Esser, Lovick and McDermott.

Staff: Edie Adams (786-7180).

Background:

A court may appoint a guardian for an incapacitated person to help the person manage his or her personal or financial affairs. A person may be incapacitated if the individual is at a significant risk of financial harm because of an inability to manage his or her property or financial affairs or has a significant risk of personal harm because of an inability to provide for nutrition, health, housing, or physical safety. The court may establish a guardianship over the person, the person's estate, or both. The court may also establish

a limited guardianship in which the guardian's duties are limited to specified areas.

In all guardianship proceedings, the court must receive a written report from either a physician or a licensed or certified psychologist who has expertise in the type of disability or incapacity the alleged incapacitated person is believed to have. The report must include information on the alleged incapacitated person's medical history, including a psychological or psychiatric report; the physician's or psychologist's findings as to the conditions of the alleged incapacitated person; and opinions on the specific assistance the alleged incapacitated person needs.

An advanced registered nurse practitioner (ARNP) is a registered nurse who has received advanced training and performs an expanded role in providing health care services. The ARNPs may receive advanced training in one or more specialty fields. Within the scope of the ARNP's specialty, the ARNP may examine and diagnose patients; admit patients to health care facilities; order, collect, perform, and interpret laboratory tests; develop a plan of care and treatment for patients; refer clients to other health care practitioners or facilities; and prescribe medications when authorized.

Summary of Substitute Bill:

In a proceeding for the appointment of a guardian or limited guardian, the report that must be submitted by a health care professional regarding the person's alleged incapacity may be submitted by an ARNP.

The requirement of a summary of the person's psychological or psychiatric history is changed to a mental health history.

Substitute Bill Compared to Original Bill:

The original bill did not change the requirement of a summary of the psychological or psychiatric history to a mental health history. The original bill contained some technical problems by not including references to ARNPs in all necessary places.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The ARNPs are independent practitioners who provide primary medical care. They establish long relationships with these patients. When a medical report is

needed for a guardianship proceeding, the ARNP has to refer the patient to a physician or psychologist who does not know the patient's history. This can be stressful to the patient and results in unnecessary duplication of services.

Testimony Against: None.

Testified: Jerri Henry, Associated Register Nurse Practitioners United of Washington State; and Jerry Farley, Advanced Registered Nurse Practitioners United.