

HOUSE BILL REPORT

2SSB 5797

As Reported by House Committee On:

Commerce & Labor

Title: An act relating to authorizing advanced registered nurse practitioners to examine, diagnose, and treat injured workers covered by industrial insurance.

Brief Description: Authorizing advanced registered nurse practitioners to examine, diagnose, and treat injured workers covered by industrial insurance.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Prentice, Deccio, Fairley, Thibaudeau and Costa).

Brief History:

Committee Activity:

Commerce & Labor: 2/27/02, 2/28/02 [DP].

Brief Summary of Second Substitute Bill

- Makes health services provided by advanced registered nurse practitioners, within their scope of practice, available to injured workers.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 6 members: Representatives Conway, Chair; Wood, Vice Chair; Clements, Ranking Minority Member; Kenney, Lysen and McMorris.

Minority Report: Do not pass. Signed by 1 member: Representative Chandler.

Staff: Jill Reinmuth (786-7134).

Background:

The Workers' Compensation Act provides that an injured worker is entitled to proper and necessary medical care from a physician of the worker's choice. The act contains many provisions specifying the roles and responsibilities of physicians. For example, a physician who fails to provide necessary assistance to injured workers or file required reports is subject to civil penalties. Also, a physician may be required to testify as to an injured worker's examination or treatment before the Department of Labor and Industries

or the Board of Industrial Insurance Appeals.

The Department of Labor and Industries' rules define "physician" as a person licensed to practice medicine and surgery or osteopathic medicine and surgery. The rules also define "doctor" to include persons licensed to practice medicine and surgery, osteopathic medicine and surgery, chiropractic, naturopathic physician, podiatry, dentistry, and optometry. Doctors may sign accident report forms for injured workers and time loss cards.

The Department of Health's rules provide that an "advanced registered nurse practitioner" (ARNP) is a registered nurse prepared to assume primary responsibility for management of a broad range of patient care. According to the rules, their practice "incorporates the use of independent judgment as well as collaborative interaction with other health care professionals." The Department of Labor and Industries' rules permit ARNPs to provide nursing care for injured workers. The rules require that ARNPs be recognized as such, and have a system of obtaining physician consultations. ARNPs may not sign accident report forms or time loss cards.

Summary of Second Substitute Bill:

The health services available to injured workers include health services provided by advanced registered nurse practitioners within their scope of practice. ARNPs are recognized as independent practitioners. Other provisions give ARNPs the same roles and responsibilities as physicians, except that ARNPs may not conduct special medical examinations.

Appropriation: None.

Fiscal Note: Available for SSB 5797.

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

Testimony For: Like physicians, advanced registered nurse practitioners (ARNPs) evaluate and treat injured workers. Unlike physicians, they cannot sign accident report forms. Instead, they send those forms to contract physicians for signature and then to the Department of Labor and Industries. The physicians never see the injured workers. ARNPs are paid by the department for treating the injured workers.

ARNPs should be accountable for their evaluations and treatments of injured workers. The issues are access to care, continuity of care, accountability for care, and timely submission of industrial insurance claims. If contract physicians will not sign accident report forms, injured workers may not have access to care in some communities. The

issues are not scope of practice, cost, or patient outcomes. ARNPs have a broad scope of practice and are recognized as primary care providers. Costs of one type of provider will be substituted for those of another type. Costs may even be lower. Patient outcomes are comparable.

Testimony Against: Advanced registered nurse practitioners should not determine causation or impairment ratings. Persons capable of providing the highest level of professional review -- supervising physicians -- should make these determinations. Supervising physicians are necessary to give self-insurers the assurances to process claims and to provide expert testimony in the legal system.

The Department of Labor and Industries cannot manage existing providers. Its costs have increased at a rate that is two times the medical CPI for Seattle. It cannot stop outliers in any currently approved practices. Authorizing ARNPs to sign accident report forms would result in an increase in costs, and could result in a slight decline in patient outcomes. This proposal should be tested as a pilot program with proper oversight.

Testified: (In support) Jerry Farley; Ronald Young; David Cantors; Catherine Stanton; and Robby Stern, Washington State Labor Council.

(Neutral) Gary Franklin, Department of Labor and Industries.

(Opposed) Clif Finch, Association of Washington Business; and Linda Maw, Washington Self-Insurers Association.