

SENATE BILL REPORT

SB 5797

As Reported By Senate Committee On:
Health & Long-Term Care, January 28, 2002

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: Senators Prentice, Deccio, Fairley, Thibaudeau and Costa.

Brief History:

Committee Activity: Health & Long-Term Care: 2/19/01, 2/27/01 [DPS]; 1/17/02, 1/28/02[DP2S].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Second Substitute Senate Bill No. 5797 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Thibaudeau, Chair; Franklin, Vice Chair; Costa, Deccio, Fraser and Winsley.

Staff: Tanya Karwaki (786-7447)

Background: Industrial injuries are compensated under the state's workers' compensation statutes. Current statutes specify the coverage available for the examination, diagnosis and treatment for injured workers. The director of Labor and Industries supervises the provision of prompt care and treatment, including care and treatment provided by physician assistants and chiropractors. Maximum fee schedules are established by the department.

There are numerous provisions in the Labor and Industries statutes which refer to the role of a physician in relationship to the department. For instance, an application for benefits must be accompanied by a physician's certificate and physicians may be compelled to testify in an industrial insurance case. These provisions do not reference licensed advanced registered nurse practitioners (ARNPs).

ARNPs are licensed by the Department of Health. ARNPs are registered nurses who are authorized to perform an expanded role in the delivery of health services by the medical and nursing profession and pursuant to rules established by the state Nursing Care Quality Assurance Commission. ARNPs have prescriptive authority for certain medications under specified conditions.

Summary of Second Substitute Bill: Licensed ARNPs are added to Department of Labor and Industries statutory provisions in each location where a physician is specified except with respect to special medical examinations. It is clarified that an injured worker can receive care

and treatment from an ARNP. Only physicians, however, are authorized to conduct special medical examinations.

Second Substitute Bill Compared to Original Bill: The term "ARNP" is preceded by the term "licensed" to clarify that the ARNP must have state credentials. Language permitting an ARNP to conduct a special medical examination is removed. A provision is added to clarify that licensed ARNPs are recognized as independent practitioners and may, as authorized by statute, provide services to injured workers within their scope of practice.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: The bill provides for more efficient care and less duplication of services. The current requirement for a physician's signature is time intensive and costly. Without a physician to sign the documentation, ARNPs cannot treat Labor and Industry patients. ARNPs, as independent practitioners, are given formal responsibility for workers' compensation claims.

Testimony Against: The bill creates a new standard of practice for physicians conducting special medical examinations. It increases the scope of practice for ARNPs. The physician's signature should continue to be required because it indicates that a physician has reviewed the record. It is unclear that it will result in a cost savings and there are inadequate controls to limit abuse and over-utilization.

Testified: Gary Franklin, Department of Labor and Industries (neutral); Michael Gregory, ARNP's United (pro); Ronald Young, ARNP's United (pro); Jerry Farley, ARNP's United (pro); Linda Maw, Washington Self Insurers Association (con); Mellani Hughes, Association of Washington Business (con); Carl Nelson, Washington State Medical Association (con).