

FINAL BILL REPORT

HB 1753

C 140 L 03

Synopsis as Enacted

Brief Description: Concerning nursing practices in community-based and in-home care.

Sponsors: By Representatives Cody, Pflug, Skinner, Clibborn, Morrell, Benson and Edwards; by request of Department of Social and Health Services and Department of Health.

House Committee on Health Care
Senate Committee on Health & Long-Term Care

Background:

Nursing assistants may either be registered or certified by the Department of Health depending on their education and training. Nursing assistants may assist in providing care to individuals as delegated by and under the supervision of a licensed or registered nurse. Nursing assistants working in community-based settings may also provide certain nursing care tasks upon completing the Department of Social and Health Services' basic core nurse delegation training.

A registered nurse may delegate nursing care tasks that are within the nurse's scope of practice to other individuals where the nurse finds it to be in the patient's best interest. Before delegating a nursing care task, the registered nurse must determine the competency level of the person to perform the delegated task, evaluate the appropriateness of the delegation, and supervise the person performing the delegated task.

With the exception of delegations to nursing assistants working in community-based care settings with patients that are in a stable and predictable condition, registered nurses may not delegate tasks requiring substantial skill, the administration of medications, or piercing or severing tissues. The administration of medications by injection, sterile procedures, and central line maintenance may never be delegated to a nursing assistant in a community-based care setting.

Summary:

In addition to simple care tasks, registered nurses in in-home care settings may delegate nursing care tasks to nursing assistants only when the individual patient is in stable and predictable condition. This includes tasks requiring substantial skill and the administration of medications. In-home care settings include an individual's temporary or

permanent place of residence other than an acute care hospital, skilled nursing facility, or community-based care setting. It is clarified that home care agencies are not considered home health agencies simply because they have nursing assistants providing delegated nursing care tasks.

Registered nurses working for a home health or hospice agency are allowed to delegate the application, instillation, or insertion of medications to a registered or certified nursing assistant under a plan of care.

Nursing assistants may not perform delegated tasks requiring the piercing or severing of tissues.

Nursing assistants are allowed to provide personal aide services for an adult with a functional disability under the adult's direction.

The Department of Health must adopt rules regarding policies governing nurse delegation practices for in-home service agencies

The authority for individuals to provide medication assistance is clarified as including in-home care settings. Before an individual may provide medication assistance, he or she must obtain an oral or written communication from an authorized practitioner stating that the patient requires medication preparation assistance. The prohibition on assisting with intravenous or injectable medications does not apply to prefilled insulin syringes.

Terminology is updated and technical changes are made, including correcting statutory cross-references.

Votes on Final Passage:

House 90 0
Senate 45 0 (Senate amended)
House 97 0 (House concurred)

Effective: May 7, 2003