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SENATE BILL 5829

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State of Washington

58th Legislature

2003 Regular Session

By Senators Deccio, Thibaudeau and Winsley

Read first time 02/14/2003. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to nursing technicians; reenacting and amending RCW  
2 18.130.040; and adding new sections to chapter 18.79 RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature finds a need to provide  
5 additional work-related opportunities for nursing students. Nursing  
6 students enrolled in bachelor of science programs or associate degree  
7 programs, working within the limits of their education, gain valuable  
8 judgment and knowledge through expanded work opportunities. The  
9 legislature further finds that graduate nurses who utilize expanded  
10 work opportunities are better trained and promote improved patient  
11 care.

12 NEW SECTION. **Sec. 2.** (1) "Nursing technician" means a nursing  
13 student employed in a hospital licensed under chapter 70.41 RCW or a  
14 nursing home licensed under chapter 18.51 RCW, who:

15 (a) Is currently enrolled in a nursing program approved by the  
16 commission;

17 (b) Has been enrolled in a nursing program approved by the  
18 commission within the last six months and has not graduated; or

1 (c) Is a graduate of a nursing program approved by the commission  
2 who graduated within the past thirty days.

3 (2) No person may practice or represent oneself as a nursing  
4 technician by use of any title or description of services without being  
5 registered under this chapter, unless otherwise exempted by this  
6 chapter.

7 (3) The commission may adopt rules to implement this act.

8 NEW SECTION. **Sec. 3.** (1) Nursing technicians are authorized to  
9 perform registered nursing functions within the limits of their  
10 education, up to their skill and knowledge, but they may not:

11 (a) Administer chemotherapy, blood or blood products, intravenous  
12 medications, or scheduled drugs, or carry out procedures on central  
13 lines;

14 (b) Assume ongoing responsibility for assessments, planning,  
15 implementation, or evaluation of the care of patients;

16 (c) Function independently, act as a supervisor, or delegate tasks  
17 to licensed practical nurses, nursing assistants, or unlicensed  
18 personnel; or

19 (d) Perform or attempt to perform nursing techniques or procedures  
20 for which the nursing technician lacks the appropriate knowledge,  
21 experience, and education.

22 (2) Nursing technicians may function only under the supervision of  
23 a registered nurse who agrees to act as supervisor. The supervising  
24 registered nurse must have an unrestricted license with at least two  
25 years of clinical practice in the setting where the nursing technician  
26 works.

27 (3) Nursing technicians are responsible and accountable for their  
28 practice based upon and limited to their education and demonstrated  
29 competence.

30 NEW SECTION. **Sec. 4.** (1) Applications for registration must be  
31 submitted on forms provided by the secretary. The secretary may  
32 require any information and documentation that reasonably relates to  
33 the need to determine whether the applicant meets the criteria for  
34 registration provided for in chapter 18.130 RCW. Each applicant shall  
35 pay a fee determined by the secretary under RCW 43.70.250. The fee  
36 must accompany the application.

1 (2) An applicant for registration as a nursing technician shall  
2 submit:

3 (a) A signed statement from the applicant's nursing program  
4 verifying enrollment in, or graduation from, the nursing program; and

5 (b) A signed statement from the applicant's employer certifying  
6 that the employer understands the role of the nursing technician and  
7 agrees to meet the requirements of subsection (4) of this section.

8 (3) The secretary shall issue a registration to an applicant who  
9 has met the requirements for registration or deny a registration to an  
10 applicant who does not meet the requirements, except that proceedings  
11 concerning the denial of registration based on unprofessional conduct  
12 or impairment are governed by the uniform disciplinary act, chapter  
13 18.130 RCW.

14 (4) The employer:

15 (a) May not require the nursing technician to work beyond his or  
16 her education and training;

17 (b) Shall verify that the nursing technician continues to qualify  
18 as a nursing technician as described in section 2 of this act; and

19 (c) Shall advise the department and nursing program of any  
20 practice-related action taken against the nursing technician.

21 NEW SECTION. **Sec. 5.** The secretary shall establish by rule the  
22 procedural requirements and fees for renewal of the registration.  
23 Failure to renew invalidates the registration and all privileges  
24 granted by the registration. For renewal of registration, a nursing  
25 technician must attest that he or she continues to qualify as a nursing  
26 technician as described in section 2 of this act.

27 **Sec. 6.** RCW 18.130.040 and 2002 c 223 s 6 and 2002 c 216 s 11 are  
28 each reenacted and amended to read as follows:

29 (1) This chapter applies only to the secretary and the boards and  
30 commissions having jurisdiction in relation to the professions licensed  
31 under the chapters specified in this section. This chapter does not  
32 apply to any business or profession not licensed under the chapters  
33 specified in this section.

34 (2)(a) The secretary has authority under this chapter in relation  
35 to the following professions:

36 (i) Dispensing opticians licensed under chapter 18.34 RCW;

1 (ii) Naturopaths licensed under chapter 18.36A RCW;  
2 (iii) Midwives licensed under chapter 18.50 RCW;  
3 (iv) Ocularists licensed under chapter 18.55 RCW;  
4 (v) Massage operators and businesses licensed under chapter 18.108  
5 RCW;  
6 (vi) Dental hygienists licensed under chapter 18.29 RCW;  
7 (vii) Acupuncturists licensed under chapter 18.06 RCW;  
8 (viii) Radiologic technologists certified and X-ray technicians  
9 registered under chapter 18.84 RCW;  
10 (ix) Respiratory care practitioners licensed under chapter 18.89  
11 RCW;  
12 (x) Persons registered under chapter 18.19 RCW;  
13 (xi) Persons licensed as mental health counselors, marriage and  
14 family therapists, and social workers under chapter 18.225 RCW;  
15 (xii) Persons registered as nursing pool operators under chapter  
16 18.52C RCW;  
17 (xiii) Nursing assistants registered or certified under chapter  
18 18.88A RCW;  
19 (xiv) Health care assistants certified under chapter 18.135 RCW;  
20 (xv) Dietitians and nutritionists certified under chapter 18.138  
21 RCW;  
22 (xvi) Chemical dependency professionals certified under chapter  
23 18.205 RCW;  
24 (xvii) Sex offender treatment providers certified under chapter  
25 18.155 RCW;  
26 (xviii) Persons licensed and certified under chapter 18.73 RCW or  
27 RCW 18.71.205;  
28 (xix) Denturists licensed under chapter 18.30 RCW;  
29 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;  
30 (xxi) Surgical technologists registered under chapter 18.215 RCW;  
31 and  
32 (xxii) Recreational therapists.  
33 (b) The boards and commissions having authority under this chapter  
34 are as follows:  
35 (i) The podiatric medical board as established in chapter 18.22  
36 RCW;  
37 (ii) The chiropractic quality assurance commission as established  
38 in chapter 18.25 RCW;

1 (iii) The dental quality assurance commission as established in  
2 chapter 18.32 RCW;

3 (iv) The board of hearing and speech as established in chapter  
4 18.35 RCW;

5 (v) The board of examiners for nursing home administrators as  
6 established in chapter 18.52 RCW;

7 (vi) The optometry board as established in chapter 18.54 RCW  
8 governing licenses issued under chapter 18.53 RCW;

9 (vii) The board of osteopathic medicine and surgery as established  
10 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
11 18.57A RCW;

12 (viii) The board of pharmacy as established in chapter 18.64 RCW  
13 governing licenses issued under chapters 18.64 and 18.64A RCW;

14 (ix) The medical quality assurance commission as established in  
15 chapter 18.71 RCW governing licenses and registrations issued under  
16 chapters 18.71 and 18.71A RCW;

17 (x) The board of physical therapy as established in chapter 18.74  
18 RCW;

19 (xi) The board of occupational therapy practice as established in  
20 chapter 18.59 RCW;

21 (xii) The nursing care quality assurance commission as established  
22 in chapter 18.79 RCW governing licenses and registrations issued under  
23 that chapter;

24 (xiii) The examining board of psychology and its disciplinary  
25 committee as established in chapter 18.83 RCW; and

26 (xiv) The veterinary board of governors as established in chapter  
27 18.92 RCW.

28 (3) In addition to the authority to discipline license holders, the  
29 disciplining authority has the authority to grant or deny licenses  
30 based on the conditions and criteria established in this chapter and  
31 the chapters specified in subsection (2) of this section. This chapter  
32 also governs any investigation, hearing, or proceeding relating to  
33 denial of licensure or issuance of a license conditioned on the  
34 applicant's compliance with an order entered pursuant to RCW 18.130.160  
35 by the disciplining authority.

36 (4) All disciplining authorities shall adopt procedures to ensure  
37 substantially consistent application of this chapter, the Uniform

1 Disciplinary Act, among the disciplining authorities listed in  
2 subsection (2) of this section.

3 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act are each  
4 added to chapter 18.79 RCW.

5 NEW SECTION. **Sec. 8.** If any provision of this act or its  
6 application to any person or circumstance is held invalid, the  
7 remainder of the act or the application of the provision to other  
8 persons or circumstances is not affected.

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