
SENATE BILL 5516

State of Washington

59th Legislature

2005 Regular Session

By Senators Thibaudeau, Deccio, Benton, Keiser, Pflug, Rockefeller, Prentice, Kohl-Welles, Franklin, McAuliffe and Benson

Read first time 01/26/2005. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to independent prescriptive authority for advanced
2 registered nurse practitioners; amending RCW 18.79.240; and repealing
3 RCW 18.57.280, 18.71.370, and 18.79.320.

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

5 **Sec. 1.** RCW 18.79.240 and 2003 c 258 s 6 are each amended to read
6 as follows:

7 (1) In the context of the definition of registered nursing practice
8 and advanced registered nursing practice, this chapter shall not be
9 construed as:

10 (a) Prohibiting the incidental care of the sick by domestic
11 servants or persons primarily employed as housekeepers, so long as they
12 do not practice registered nursing within the meaning of this chapter;

13 (b) Preventing a person from the domestic administration of family
14 remedies or the furnishing of nursing assistance in case of emergency;

15 (c) Prohibiting the practice of nursing by students enrolled in
16 approved schools as may be incidental to their course of study or
17 prohibiting the students from working as nursing technicians;

18 (d) Prohibiting auxiliary services provided by persons carrying out
19 duties necessary for the support of nursing services, including those

1 duties that involve minor nursing services for persons performed in
2 hospitals, nursing homes, or elsewhere under the direction of licensed
3 physicians or the supervision of licensed registered nurses;

4 (e) Prohibiting the practice of nursing in this state by a legally
5 qualified nurse of another state or territory whose engagement requires
6 him or her to accompany and care for a patient temporarily residing in
7 this state during the period of one such engagement, not to exceed six
8 months in length, if the person does not represent or hold himself or
9 herself out as a registered nurse licensed to practice in this state;

10 (f) Prohibiting nursing or care of the sick, with or without
11 compensation, when done in connection with the practice of the
12 religious tenets of a church by adherents of the church so long as they
13 do not engage in the practice of nursing as defined in this chapter;

14 (g) Prohibiting the practice of a legally qualified nurse of
15 another state who is employed by the United States government or a
16 bureau, division, or agency thereof, while in the discharge of his or
17 her official duties;

18 (h) Permitting the measurement of the powers or range of human
19 vision, or the determination of the accommodation and refractive state
20 of the human eye or the scope of its functions in general, or the
21 fitting or adaptation of lenses for the aid thereof;

22 (i) Permitting the prescribing or directing the use of, or using,
23 an optical device in connection with ocular exercises, visual training,
24 vision training, or orthoptics;

25 (j) Permitting the prescribing of contact lenses for, or the
26 fitting and adaptation of contact lenses to, the human eye;

27 (k) Prohibiting the performance of routine visual screening;

28 (l) Permitting the practice of dentistry or dental hygiene as
29 defined in chapters 18.32 and 18.29 RCW, respectively;

30 (m) Permitting the practice of chiropractic as defined in chapter
31 18.25 RCW including the adjustment or manipulation of the articulation
32 of the spine;

33 (n) Permitting the practice of podiatric medicine and surgery as
34 defined in chapter 18.22 RCW;

35 (o) Permitting the performance of major surgery, except such minor
36 surgery as the commission may have specifically authorized by rule
37 adopted in accordance with chapter 34.05 RCW;

1 (p) Permitting the prescribing of controlled substances as defined
2 in Schedule(~~(s)~~) I (~~(through IV)~~) of the Uniform Controlled Substances
3 Act, chapter 69.50 RCW(~~(, except as provided in (r) or (s) of this~~
4 ~~subsection)~~);

5 (q) Prohibiting the determination and pronouncement of death;

6 (r) Prohibiting advanced registered nurse practitioners, approved
7 by the commission as certified registered nurse anesthetists from
8 selecting, ordering, or administering controlled substances as defined
9 in Schedules II through IV of the Uniform Controlled Substances Act,
10 chapter 69.50 RCW, consistent with their commission-recognized scope of
11 practice; subject to facility-specific protocols, and subject to a
12 request for certified registered nurse anesthetist anesthesia services
13 issued by a physician licensed under chapter 18.71 RCW, an osteopathic
14 physician and surgeon licensed under chapter 18.57 RCW, a dentist
15 licensed under chapter 18.32 RCW, or a podiatric physician and surgeon
16 licensed under chapter 18.22 RCW; the authority to select, order, or
17 administer Schedule II through IV controlled substances being limited
18 to those drugs that are to be directly administered to patients who
19 require anesthesia for diagnostic, operative, obstetrical, or
20 therapeutic procedures in a hospital, clinic, ambulatory surgical
21 facility, or the office of a practitioner licensed under chapter 18.71,
22 18.22, 18.36, 18.36A, 18.57, 18.57A, or 18.32 RCW; "select" meaning the
23 decision-making process of choosing a drug, dosage, route, and time of
24 administration; and "order" meaning the process of directing licensed
25 individuals pursuant to their statutory authority to directly
26 administer a drug or to dispense, deliver, or distribute a drug for the
27 purpose of direct administration to a patient, under instructions of
28 the certified registered nurse anesthetist. "Protocol" means a
29 statement regarding practice and documentation concerning such items as
30 categories of patients, categories of medications, or categories of
31 procedures rather than detailed case-specific formulas for the practice
32 of nurse anesthesia;

33 (s) Prohibiting advanced registered nurse practitioners from
34 ordering or prescribing controlled substances as defined in Schedules
35 II through IV of the Uniform Controlled Substances Act, chapter 69.50
36 RCW, if and to the extent(~~(; (i))~~) that doing so is permitted by their
37 scope of practice(~~(; (ii) it is in response to a combined request from~~
38 ~~one or more physicians licensed under chapter 18.71 or 18.57 RCW and an~~

1 ~~advanced registered nurse practitioner licensed under this chapter,~~
2 ~~proposing a joint practice arrangement under which such prescriptive~~
3 ~~authority will be exercised with appropriate collaboration between the~~
4 ~~practitioners; and (iii) it is consistent with rules adopted under this~~
5 ~~subsection. The medical quality assurance commission, the board of~~
6 ~~osteopathic medicine and surgery, and the commission are directed to~~
7 ~~jointly adopt by consensus by rule a process and criteria that~~
8 ~~implements the joint practice arrangements authorized under this~~
9 ~~subsection. This subsection (1)(s) does not apply to certified~~
10 ~~registered nurse anesthetists)).~~

11 (2) In the context of the definition of licensed practical nursing
12 practice, this chapter shall not be construed as:

13 (a) Prohibiting the incidental care of the sick by domestic
14 servants or persons primarily employed as housekeepers, so long as they
15 do not practice practical nursing within the meaning of this chapter;

16 (b) Preventing a person from the domestic administration of family
17 remedies or the furnishing of nursing assistance in case of emergency;

18 (c) Prohibiting the practice of practical nursing by students
19 enrolled in approved schools as may be incidental to their course of
20 study or prohibiting the students from working as nursing assistants;

21 (d) Prohibiting auxiliary services provided by persons carrying out
22 duties necessary for the support of nursing services, including those
23 duties that involve minor nursing services for persons performed in
24 hospitals, nursing homes, or elsewhere under the direction of licensed
25 physicians or the supervision of licensed registered nurses;

26 (e) Prohibiting or preventing the practice of nursing in this state
27 by a legally qualified nurse of another state or territory whose
28 engagement requires him or her to accompany and care for a patient
29 temporarily residing in this state during the period of one such
30 engagement, not to exceed six months in length, if the person does not
31 represent or hold himself or herself out as a licensed practical nurse
32 licensed to practice in this state;

33 (f) Prohibiting nursing or care of the sick, with or without
34 compensation, when done in connection with the practice of the
35 religious tenets of a church by adherents of the church so long as they
36 do not engage in licensed practical nurse practice as defined in this
37 chapter;

1 (g) Prohibiting the practice of a legally qualified nurse of
2 another state who is employed by the United States government or any
3 bureau, division, or agency thereof, while in the discharge of his or
4 her official duties.

5 NEW SECTION. **Sec. 2.** The following acts or parts of acts are each
6 repealed:

7 (1) RCW 18.57.280 (Joint practice arrangements) and 2000 c 64 s 6;

8 (2) RCW 18.71.370 (Joint practice arrangements) and 2000 c 64 s 5;

9 and

10 (3) RCW 18.79.320 (Joint practice arrangements) and 2000 c 64 s 7.

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