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**Health Care & Wellness Committee**

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**HB 1414**

**Brief Description:** Concerning health care assistants.

**Sponsors:** Representatives Driscoll, Moeller, Hinkle, Cody, Sullivan, Nelson and Ormsby.

**Brief Summary of Bill**

- Grants health care assistants authority to administer certain over-the-counter and prescribed medications.
- Modifies the definition of a health care facility to include professional service corporations.

**Hearing Date:** 1/30/09

**Staff:** Kyle Gotchy (786-7119); and Chris Cordes (786-7103)

**Background:**

Health Care Assistants: Health care assistants are certified persons who assist licensed health care practitioners, such as physicians and physician assistants, registered nurses and advanced registered nurse practitioners, and naturopaths. A licensed health care practitioner may delegate certain functions within the delegator's scope of practice to a health care assistant, including administering skin tests and injections, and performing blood withdrawal and certain other specified functions.

Health care assistants are certified by the health care facility in which the services are performed or by the health care practitioner who delegates functions to the health care assistant. The facility or practitioner must submit to the Department of Health (DOH) a roster of certified health care assistants. The submittal must include a list of specific medications and diagnostic agents, and the route of administration of each.

Professional Service Corporations: A professional service corporation is an organization that provides any type of personal service to the public that requires, as a condition precedent to the

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rendering of such service, the obtaining of a license or other legal authorization. Professional services are provided by a broad range of professionals such as certified public accountants, chiropractors, dentists, osteopaths, physicians, podiatric physicians and surgeons, chiropodists, architects, veterinarians and attorneys-at-law.

### **Summary of Bill:**

Authority of Health Care Assistants: Qualified health care assistants are granted limited authority to administer certain over-the-counter and prescribed medications by oral, topical, rectal, otic, ophthalmic, or inhaled routes. A health care assistant's authority to administer prescribed medications is conditioned upon his or her successful graduation from an accredited medical assistant program and with demonstrated competency to administer such medications.

A health care practitioner, rather than a health care assistant, must administer a medication if:

- a patient is unable to physically ingest or safely apply a medication independently or with assistance; or
- a patient is unable to indicate an awareness that he or she is taking a medication.

Medications Acceptable for Administration: The Secretary of Health must develop, by rule, a list of prescribed medications that a health care assistant is authorized to administer. This list must be limited to:

- over-the-counter medications that may be administered to a patient while in the care of a health care practitioner, such as Benadryl, ibuprofen and aspirin and certain antibiotic creams; and
- certain nonover-the-counter unit dose medications that may be administered to a patient while in the care of a health care practitioner. The Secretary of Health may make some exceptions for certain nonover-the-counter medications that do not come in unit dose forms. The Secretary of Health must also establish in rule the requirements governing the determination of a health care assistant's initial and continued competency.

Certification of Health Care Assistants: The types of health care facilities that may certify health care assistants include professional service corporations.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/22/09.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.