

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1414

Chapter 43, Laws of 2009

61st Legislature
2009 Regular Session

HEALTH CARE ASSISTANTS--AUTHORITY

EFFECTIVE DATE: 07/26/09

Passed by the House March 5, 2009
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 31, 2009
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved April 9, 2009, 2:30 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1414** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 10, 2009

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1414

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Driscoll, Moeller, Hinkle, Cody, Sullivan, Nelson, and Ormsby)

READ FIRST TIME 02/19/09.

1 AN ACT Relating to the practice of health care assistants; amending
2 RCW 18.135.010, 18.135.020, and 18.135.065; adding a new section to
3 chapter 18.135 RCW; creating a new section; and providing an expiration
4 date.

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

6 NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature to
7 enhance the delivery of health care to the citizens of the state.

8 (a) For many years health care assistants, certified with the state
9 and supervised by a licensed health care practitioner, have been an
10 integral and often overlooked part of the state's health care delivery
11 system. It is not surprising then that as the demand for health care
12 services has exploded over the past twenty years, so too have the
13 demands on licensed health care practitioners, and in turn those that
14 assist those practitioners.

15 (b) In an attempt to manage this skyrocketing demand, a highly
16 complex integrated health delivery system characterized by greater
17 specialization has evolved. Health care assistants, including medical
18 assistants, have responded to these changes by developing greater

1 training and education opportunities through nationally accredited
2 programs. This additional training, when appropriately supervised, can
3 be of great assistance to our licensed health care practitioners.

4 (c) It is important for the legislature to look for new ways to
5 harness the training of our health care practitioners, and those that
6 assist them, in order to alleviate the stress on our current health
7 care delivery system. With this in mind, the legislature encourages
8 some minor expansions to the scope of practice of registered health
9 care assistants, so long as there are clearly defined limitations to
10 their scope expressly linked to education, training, and supervision.

11 (2) Within the existing resources, the department of health shall
12 conduct a review under chapter 18.120 regarding the regulation and the
13 scope of practice of medical assistants.

14 **Sec. 2.** RCW 18.135.010 and 2008 c 58 s 1 are each amended to read
15 as follows:

16 It is in this state's public interest that limited authority to:
17 (1) Administer skin tests and subcutaneous, intradermal, intramuscular,
18 and intravenous injections; (2) perform minor invasive procedures to
19 withdraw blood; ~~((and))~~ (3) administer vaccines in accordance with RCW
20 18.135.120; and (4) administer certain drugs, in accordance with
21 section 3 of this act be granted to health care assistants who are not
22 so authorized under existing licensing statutes, subject to such
23 regulations as will ensure the protection of the health and safety of
24 the patient.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.135 RCW
26 to read as follows:

27 (1)(a) The administration of drugs by a health care assistant is
28 restricted to oral, topical, rectal, otic, ophthalmic, or inhaled
29 routes administered pursuant to a written order of a supervising health
30 care practitioner. The drugs authorized for administration under this
31 section are limited to the following:

32 (i) Over-the-counter drugs that may be administered to a patient
33 while in the care of a health care practitioner are: Benadryl,
34 acetaminophen, ibuprofen, aspirin, neosporin, polysporin, normal
35 saline, colace, kenalog, and hydrocortisone cream;

1 (ii) Nonover-the-counter unit dose legend drugs that may be
2 administered to a patient while in the care of a health care
3 practitioner are: Kenalog, hydrocortisone cream, reglan, compazine,
4 zofran, bactroban, albuterol, xopenex, silvadene, gastrointestinal
5 cocktail, fluoride, lmx cream, emla, lat, optic dyes, oral contrast,
6 and oxygen.

7 (b) Only health care assistants who are certified as category C or
8 E assistants by the department of health may administer the oral drugs
9 specified in (a) of this subsection.

10 (c) Health care assistants authorized to administer certain over-
11 the-counter and legend drugs under (a) of this subsection must
12 demonstrate initial and ongoing competency to administer specific drugs
13 as determined by the health care practitioner.

14 (2) A health care practitioner must administer a medication if:

15 (a) A patient is unable to physically ingest or safely apply a
16 medication independently or with assistance; or

17 (b) A patient is unable to indicate an awareness that he or she is
18 taking a medication.

19 (3) This section expires July 1, 2013.

20 **Sec. 4.** RCW 18.135.020 and 2008 c 58 s 2 are each amended to read
21 as follows:

22 The definitions in this section apply throughout this chapter
23 unless the context clearly requires otherwise.

24 (1) "Secretary" means the secretary of health.

25 (2) "Health care assistant" means an unlicensed person who assists
26 a licensed health care practitioner in providing health care to
27 patients pursuant to this chapter. However, persons trained by a
28 federally approved end-stage renal disease facility who perform end-
29 stage renal dialysis in the home setting are exempt from certification
30 under this chapter.

31 (3) "Health care practitioner" means:

32 (a) A physician licensed under chapter 18.71 RCW;

33 (b) An osteopathic physician or surgeon licensed under chapter
34 18.57 RCW; or

35 (c) Acting within the scope of their respective licensure, a
36 podiatric physician and surgeon licensed under chapter 18.22 RCW, a
37 registered nurse or advanced registered nurse practitioner licensed

1 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A
2 RCW, a physician assistant licensed under chapter 18.71A RCW, or an
3 osteopathic physician assistant licensed under chapter 18.57A RCW.

4 (4) "Supervision" means supervision of procedures permitted
5 pursuant to this chapter by a health care practitioner who is
6 physically present and is immediately available in the facility during
7 the administration of injections or vaccines, as defined in this
8 chapter, or certain drugs as provided in section 3 of this act, but
9 need not be present during procedures to withdraw blood.

10 (5) "Health care facility" means any hospital, hospice care center,
11 licensed or certified health care facility, health maintenance
12 organization regulated under chapter 48.46 RCW, federally qualified
13 health maintenance organization, renal dialysis center or facility
14 federally approved under 42 C.F.R. 405.2100, blood bank federally
15 licensed under 21 C.F.R. 607, or clinical laboratory certified under 20
16 C.F.R. 405.1301-16.

17 (6) "Delegation" means direct authorization granted by a licensed
18 health care practitioner to a health care assistant to perform the
19 functions authorized in this chapter which fall within the scope of
20 practice of the delegator and which are not within the scope of
21 practice of the delegatee.

22 **Sec. 5.** RCW 18.135.065 and 2008 c 58 s 3 are each amended to read
23 as follows:

24 (1) Each delegator, as defined under RCW 18.135.020(6), shall
25 maintain a list of ~~((:—(a)))~~ specific ~~((medications—and))~~ drugs,
26 diagnostic agents, and vaccines, and the route of administration of
27 each ~~((, that he or she has authorized for injection; and (b) the~~
28 ~~vaccines that he or she has authorized for administration))~~ drug,
29 diagnostic agent, and vaccine that the delegatee is authorized to
30 administer under this chapter. Both the delegator and delegatee shall
31 sign the above list, indicating the date of each signature. The signed
32 list shall be forwarded to the secretary of the department of health
33 and shall be available for review.

34 (2) Delegates are prohibited from administering any controlled
35 substance as defined in RCW 69.50.101(d), any experimental drug, and

1 any cancer chemotherapy agent unless a delegator is physically present
2 in the immediate area where the drug is administered.

Passed by the House March 5, 2009.

Passed by the Senate March 31, 2009.

Approved by the Governor April 9, 2009.

Filed in Office of Secretary of State April 10, 2009.