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## Health Care & Wellness Committee

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### HB 1340

**Brief Description:** Developing a process to allow pilot programs for health care professionals to learn new skills or roles, use existing skills in new circumstances, and accelerate training.

**Sponsors:** Representatives Cody, Schmick, Moeller, Harris, Robinson, Ormsby and Riccelli.

#### Brief Summary of Bill

- Permits the Department of Health to approve health workforce pilot projects that teach new skills to health care personnel, use existing skills in new settings, accelerate training, or teach new roles and skills to previously trained persons whose skills or license are not recognized in Washington.
- Permits a trainee in an approved project to perform services under a collaborative work agreement with a sponsoring organization and supervisor.

**Hearing Date:** 1/28/15

**Staff:** Alexa Silver (786-7190).

#### **Background:**

##### Regulation of Health Professions.

Credentialed health care providers are subject to professional discipline under the Uniform Disciplinary Act (UDA). Under the UDA, the disciplining authority may take action against a provider for a variety of reasons, including unlicensed practice and practice beyond the scope of practice, as defined by law or rule. Depending on the profession, the disciplining authority may be the Secretary of Health or one of 16 different boards and commissions.

##### California Health Workforce Pilot Projects.

The California Office of Statewide Health Planning & Development (Office) operates the Health Workforce Pilot Projects Program to allow organizations to evaluate new or expanded roles for

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health care professionals or new health care delivery alternatives. According to the Office, since 1973, 173 project applications have been submitted for approval, and more than 5,000 providers have been trained. Approved projects have covered expanded roles for registered nurses, physician assistants, dental hygienists and assistants, and pharmacists, among others.

### **Summary of Bill:**

A sponsoring organization may request that the Department of Health (Department) grant approval to an educational or training program that does any of the following on a pilot program basis: (1) teaches new skills to existing categories of health care personnel; (2) uses existing skills in new circumstances or settings; (3) accelerates the training of existing categories of health care personnel; or (4) teaches new health care roles and skills to previously trained persons whose skills or license are not recognized in Washington.

### Application Process.

To apply, the sponsoring organization must submit an application to the Department that includes a description of the project indicating:

- the project's aim;
- the intended impact on patient care, access to services, and cost;
- the category of person to be trained;
- the tasks to be taught;
- the numbers of trainees and supervisors who will participate;
- a description of the health care facilities to be used for training students; and
- the types of patients likely to be seen or treated.

In addition, the application must contain a description of:

- the evaluation process to assess project outcomes;
- the baseline data and information to be collected;
- the nature of the program data that will be collected, as well as methods for collecting and analyzing it;
- provision for protecting the safety of patients; and
- a statement of previous experience in providing related health care services.

Only a project submitted by a sponsoring organization may qualify for approval. A "sponsoring organization" is as an organization, such as a hospital, nonprofit educational institution, or government agency, that is engaged in health or education activities. Prior to approving a project, the Department must consult appropriate professional societies, regulatory entities, and other relevant experts. The Department must give priority to projects that operate in high-need areas, such as health provider shortage areas, central city areas, and disproportionate share hospitals. The maximum project length is 24 months, unless the Department determines that the project is likely to contribute substantially to the availability of high quality health services or more time is needed to obtain valid and reliable study results. By rule, the Department must develop a review and approval process and must set a reasonable application fee.

### Trainee Participation in a Project.

Once a project is approved, a trainee participating in the project may perform health care services under a collaborative work agreement with the sponsoring organization and a supervisor. The general scope of the services is approved in advance by the Department. The collaborative work agreement must define the tasks or patient care functions that a supervisor may delegate to a trainee to perform under direct supervision and with the appropriate training. In addition, it must identify the amount and types of liability insurance to be provided by the participating parties.

A trainee is held to the same standard of care as a person who is otherwise qualified to perform the service. The trainee and supervisor are both responsible for their own individual actions, but the sponsoring organization and supervisor retain overall accountability for patient care. The trainee's participation in an approved project does not constitute unlicensed practice or unprofessional conduct under the Uniform Disciplinary Act.

A patient who will be seen or treated by a trainee must be apprised of that fact and given the opportunity to refuse treatment. If the patient is not competent to grant informed consent, then the trainee may not provide treatment unless consent is obtained from a person authorized to give it. Consent to treatment does not constitute assumption of the risk.

#### Project Evaluation.

The Department is required to develop a mechanism to monitor and evaluate approved projects. Sponsoring organizations must provide reports to the Department confirming that the parties are abiding by the standards and guidelines set by the Department and are on target to completed the project by the completion date. The reports must also include specific information related to quality of care and patient safety.

Within 60 days of completing a project, the sponsoring organization must submit a report on the outcomes of the project. The report must address:

- the identified aim of the project and whether it was achieved;
- the degree to which the project had an impact on patient care, access to services, and cost;
- recommendations based on the project outcomes;
- quality of care and patient acceptance of the project;
- the new health skills taught or the extent that existing skills have been reallocated;
- the implication of the project for licensure laws, health services curricula, and health care delivery systems;
- the teaching methods used; and
- the extent that persons with the new skills could find employment if laws were changed to incorporate their skill.

**Appropriation:** None.

**Fiscal Note:** Requested on January 21, 2015.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.