
HOUSE BILL 2775

State of Washington

66th Legislature

2020 Regular Session

By Representatives Macri, Van Werven, Shewmake, and Doglio

Read first time 01/21/20. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the practice of colon hydrotherapy; amending
2 RCW 18.88A.020 and 18.71.030; adding a new section to chapter 18.88A
3 RCW; and providing an effective date.

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

5 **Sec. 1.** RCW 18.88A.020 and 2018 c 201 s 9008 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Alternative training" means a nursing assistant-certified
10 program meeting criteria adopted by the commission under RCW
11 18.88A.087 to meet the requirements of a state-approved nurse aide
12 competency evaluation program consistent with 42 U.S.C. Sec.
13 1395i-3(e) and (f) of the federal social security act.

14 (2) "Approved training program" means a nursing assistant-
15 certified training program approved by the commission to meet the
16 requirements of a state-approved nurse aide training and competency
17 evaluation program consistent with 42 U.S.C. Sec. 1395i-3(e) and (f)
18 of the federal social security act. For community college,
19 vocational-technical institutes, skill centers, and secondary school
20 as defined in chapter 28B.50 RCW, nursing assistant-certified
21 training programs shall be approved by the commission in cooperation

1 with the board for community and technical colleges or the
2 superintendent of public instruction.

3 (3) "Commission" means the Washington nursing care quality
4 assurance commission.

5 (4) "Competency evaluation" means the measurement of an
6 individual's knowledge and skills as related to safe, competent
7 performance as a nursing assistant.

8 (5) "Department" means the department of health.

9 (6) "Health care facility" means a nursing home, hospital
10 licensed under chapter 70.41 or 71.12 RCW, hospice care facility,
11 home health care agency, hospice agency, licensed or certified
12 service provider under chapter 71.24 RCW other than an individual
13 health care provider, or other entity for delivery of health care
14 services as defined by the commission.

15 (7) "Medication assistant" means a nursing assistant-certified
16 with a medication assistant endorsement issued under RCW 18.88A.082
17 who is authorized, in addition to his or her duties as a nursing
18 assistant-certified, to administer certain medications and perform
19 certain treatments in a nursing home under the supervision of a
20 registered nurse under RCW 18.88A.082.

21 (8) "Nursing assistant" means an individual, regardless of title,
22 who either, under the direction and supervision of a registered nurse
23 or licensed practical nurse, assists in the delivery of nursing and
24 nursing-related activities to patients in a health care facility,
25 including performing colon hydrotherapy, or, upon delegation from and
26 supervision by a naturopath licensed under chapter 18.36A RCW, in
27 accordance with section 2 of this act, performs colon hydrotherapy.

28 The two levels of nursing assistants are:

29 (a) "Nursing assistant-certified," an individual certified under
30 this chapter; and

31 (b) "Nursing assistant-registered," an individual registered
32 under this chapter.

33 (9) "Nursing home" means a nursing home licensed under chapter
34 18.51 RCW.

35 (10) "Secretary" means the secretary of health.

36 (11) "Colon hydrotherapy" means the performance of enemas or
37 colonic irrigation.

38 NEW SECTION. Sec. 2. A new section is added to chapter 18.88A
39 RCW to read as follows:

1 (1) A naturopath licensed under chapter 18.36A RCW may delegate
2 the application of colon hydrotherapy to a certified nursing
3 assistant if:

4 (a) The supervising naturopath conducts a patient evaluation and
5 diagnosis prior to referring a patient to a certified nursing
6 assistant for the application of colon hydrotherapy and adopts a plan
7 for patient monitoring;

8 (b) The supervising naturopath ensures that the certified nursing
9 assistant has sufficient training and competency, as required by the
10 board of naturopathy, to deliver the colon hydrotherapy in a manner
11 that is consistent with all current standards for public safety;

12 (c) The certified nursing assistant has liability coverage for
13 the colon hydrotherapy; and

14 (d) The certified nursing assistant has a written emergency
15 protocol to address urgent needs that may occur as a result of the
16 colon hydrotherapy.

17 (2) For purposes of this section, colon hydrotherapy may be
18 performed by a certified nursing assistant at a facility other than
19 the supervising naturopath's office.

20 **Sec. 3.** RCW 18.71.030 and 2019 c 270 s 3 are each amended to
21 read as follows:

22 Nothing in this chapter shall be construed to apply to or
23 interfere in any way with the practice of religion or any kind of
24 treatment by prayer; nor shall anything in this chapter be construed
25 to prohibit:

26 (1) The furnishing of medical assistance in cases of emergency
27 requiring immediate attention;

28 (2) The domestic administration of family remedies;

29 (3) The administration of oral medication of any nature to
30 students by public school district employees or private elementary or
31 secondary school employees as provided for in chapter 28A.210 RCW;

32 (4) The practice of dentistry, osteopathic medicine and surgery,
33 nursing, chiropractic, podiatric medicine and surgery, optometry,
34 naturopathy, or any other healing art licensed under the methods or
35 means permitted by such license;

36 (5) The practice of medicine in this state by any commissioned
37 medical officer serving in the armed forces of the United States or
38 public health service or any medical officer on duty with the United
39 States veterans administration while such medical officer is engaged

1 in the performance of the duties prescribed for him or her by the
2 laws and regulations of the United States;

3 (6) The practice of medicine by any practitioner licensed by
4 another state or territory in which he or she resides, provided that
5 such practitioner shall not open an office or appoint a place of
6 meeting patients or receiving calls within this state;

7 (7) The practice of medicine by a person who is a regular student
8 in a school of medicine approved and accredited by the commission if:

9 (a) The performance of such services is only pursuant to a
10 regular course of instruction or assignments from his or her
11 instructor (~~(or)~~); or

12 (b) Such services are performed only under the supervision and
13 control of a person licensed pursuant to this chapter; or

14 (c) (i) Such services are performed without compensation or
15 expectation of compensation as part of a volunteer activity;

16 (ii) The student is under the direct supervision and control of a
17 pharmacist licensed under chapter 18.64 RCW, an osteopathic physician
18 and surgeon licensed under chapter 18.57 RCW, or a registered nurse
19 or advanced registered nurse practitioner licensed under chapter
20 18.79 RCW;

21 (iii) The services the student performs are within the scope of
22 practice of: (A) A physician licensed under this chapter; and (B) the
23 person supervising the student;

24 (iv) The school in which the student is enrolled verifies the
25 student has demonstrated competency through his or her education and
26 training to perform the services; and

27 (v) The student provides proof of current malpractice insurance
28 to the volunteer activity organizer prior to performing any services;

29 (8) The practice of medicine by a person serving a period of
30 postgraduate medical training in a program of clinical medical
31 training sponsored by a college or university in this state or by a
32 hospital accredited in this state, however, the performance of such
33 services shall be only pursuant to his or her duties as a trainee;

34 (9) The practice of medicine by a person who is regularly
35 enrolled in a physician assistant program approved by the commission,
36 however, the performance of such services shall be only pursuant to a
37 regular course of instruction in said program and such services are
38 performed only under the supervision and control of a person licensed
39 pursuant to this chapter;

1 (10) The practice of medicine by a licensed physician assistant
2 which practice is performed under the supervision and control of a
3 physician licensed pursuant to this chapter;

4 (11) The practice of medicine, in any part of this state which
5 shares a common border with Canada and which is surrounded on three
6 sides by water, by a physician licensed to practice medicine and
7 surgery in Canada or any province or territory thereof;

8 (12) The administration of nondental anesthesia by a dentist who
9 has completed a residency in anesthesiology at a school of medicine
10 approved by the commission, however, a dentist allowed to administer
11 nondental anesthesia shall do so only under authorization of the
12 patient's attending surgeon, obstetrician, or psychiatrist, and the
13 commission has jurisdiction to discipline a dentist practicing under
14 this exemption and enjoin or suspend such dentist from the practice
15 of nondental anesthesia according to this chapter and chapter 18.130
16 RCW;

17 (13) Emergency lifesaving service rendered by a physician's
18 trained advanced emergency medical technician and paramedic, as
19 defined in RCW 18.71.200, if the emergency lifesaving service is
20 rendered under the responsible supervision and control of a licensed
21 physician;

22 (14) The provision of clean, intermittent bladder for students by
23 public school district employees or private school employees as
24 provided for in RCW 18.79.290 and 28A.210.280; or

25 (15) The practice of colon hydrotherapy.

26 NEW SECTION. **Sec. 4.** Sections 1 and 2 of this act take effect
27 July 1, 2021.

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