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**HOUSE BILL 1378**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Ybarra, Cody, and Dolan

Read first time 01/26/21. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the supervision of medical assistants;  
2 amending RCW 18.360.010; reenacting and amending RCW 18.360.010;  
3 providing an effective date; providing an expiration date; and  
4 declaring an emergency.

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

6 **Sec. 1.** RCW 18.360.010 and 2017 c 336 s 14 are each reenacted  
7 and amended to read as follows:

8 The definitions in this section apply throughout this chapter  
9 unless the context clearly requires otherwise.

10 (1) "Administer" means the retrieval of medication, and its  
11 application to a patient, as authorized in RCW 18.360.050.

12 (2) "Delegation" means direct authorization granted by a licensed  
13 health care practitioner to a medical assistant to perform the  
14 functions authorized in this chapter which fall within the scope of  
15 practice of the health care provider and the training and experience  
16 of the medical assistant.

17 (3) "Department" means the department of health.

18 (4) "Forensic phlebotomist" means a police officer, law  
19 enforcement officer, or employee of a correctional facility or  
20 detention facility, who is certified under this chapter and meets any  
21 additional training and proficiency standards of his or her employer

1 to collect a venous blood sample for forensic testing pursuant to a  
2 search warrant, a waiver of the warrant requirement, or exigent  
3 circumstances.

4 (5) "Health care practitioner" means:

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

6 (b) An osteopathic physician and surgeon licensed under chapter  
7 18.57 RCW; or

8 (c) Acting within the scope of their respective licensure, a  
9 podiatric physician and surgeon licensed under chapter 18.22 RCW, a  
10 registered nurse or advanced registered nurse practitioner licensed  
11 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A  
12 RCW, a physician assistant licensed under chapter 18.71A RCW, an  
13 osteopathic physician assistant licensed under chapter 18.57A RCW, or  
14 an optometrist licensed under chapter 18.53 RCW.

15 (6) "Medical assistant-certified" means a person certified under  
16 RCW 18.360.040 who assists a health care practitioner with patient  
17 care, executes administrative and clinical procedures, and performs  
18 functions as provided in RCW 18.360.050 under the supervision of the  
19 health care practitioner.

20 (7) "Medical assistant-hemodialysis technician" means a person  
21 certified under RCW 18.360.040 who performs hemodialysis and other  
22 functions pursuant to RCW 18.360.050 under the supervision of a  
23 health care practitioner.

24 (8) "Medical assistant-phlebotomist" means a person certified  
25 under RCW 18.360.040 who performs capillary, venous, and arterial  
26 invasive procedures for blood withdrawal and other functions pursuant  
27 to RCW 18.360.050 under the supervision of a health care  
28 practitioner.

29 (9) "Medical assistant-registered" means a person registered  
30 under RCW 18.360.040 who, pursuant to an endorsement by a health care  
31 practitioner, clinic, or group practice, assists a health care  
32 practitioner with patient care, executes administrative and clinical  
33 procedures, and performs functions as provided in RCW 18.360.050  
34 under the supervision of the health care practitioner.

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

36 (11) (a) "Supervision" means supervision of procedures permitted  
37 pursuant to this chapter by a health care practitioner who is  
38 physically present and is immediately available in the facility,  
39 except as provided in (b) and (c) of this subsection.

1       **(b)** The health care practitioner does not need to be present  
2 during procedures to withdraw blood, but must be immediately  
3 available.

4       **(c)** During a telemedicine visit, supervision over a medical  
5 assistant assisting a health care practitioner with the telemedicine  
6 visit may be provided through interactive audio and video  
7 telemedicine technology.

8       **Sec. 2.** RCW 18.360.010 and 2020 c 80 s 26 are each amended to  
9 read as follows:

10       The definitions in this section apply throughout this chapter  
11 unless the context clearly requires otherwise.

12       (1) "Administer" means the retrieval of medication, and its  
13 application to a patient, as authorized in RCW 18.360.050.

14       (2) "Delegation" means direct authorization granted by a licensed  
15 health care practitioner to a medical assistant to perform the  
16 functions authorized in this chapter which fall within the scope of  
17 practice of the health care provider and the training and experience  
18 of the medical assistant.

19       (3) "Department" means the department of health.

20       (4) "Forensic phlebotomist" means a police officer, law  
21 enforcement officer, or employee of a correctional facility or  
22 detention facility, who is certified under this chapter and meets any  
23 additional training and proficiency standards of his or her employer  
24 to collect a venous blood sample for forensic testing pursuant to a  
25 search warrant, a waiver of the warrant requirement, or exigent  
26 circumstances.

27       (5) "Health care practitioner" means:

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

29       (b) An osteopathic physician and surgeon licensed under chapter  
30 18.57 RCW; or

31       (c) Acting within the scope of their respective licensure, a  
32 podiatric physician and surgeon licensed under chapter 18.22 RCW, a  
33 registered nurse or advanced registered nurse practitioner licensed  
34 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A  
35 RCW, a physician assistant licensed under chapter 18.71A RCW, or an  
36 optometrist licensed under chapter 18.53 RCW.

37       (6) "Medical assistant-certified" means a person certified under  
38 RCW 18.360.040 who assists a health care practitioner with patient  
39 care, executes administrative and clinical procedures, and performs

1 functions as provided in RCW 18.360.050 under the supervision of the  
2 health care practitioner.

3 (7) "Medical assistant-hemodialysis technician" means a person  
4 certified under RCW 18.360.040 who performs hemodialysis and other  
5 functions pursuant to RCW 18.360.050 under the supervision of a  
6 health care practitioner.

7 (8) "Medical assistant-phlebotomist" means a person certified  
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9 invasive procedures for blood withdrawal and other functions pursuant  
10 to RCW 18.360.050 under the supervision of a health care  
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12 (9) "Medical assistant-registered" means a person registered  
13 under RCW 18.360.040 who, pursuant to an endorsement by a health care  
14 practitioner, clinic, or group practice, assists a health care  
15 practitioner with patient care, executes administrative and clinical  
16 procedures, and performs functions as provided in RCW 18.360.050  
17 under the supervision of the health care practitioner.

18 (10) "Secretary" means the secretary of the department of health.

19 (11)(a) "Supervision" means supervision of procedures permitted  
20 pursuant to this chapter by a health care practitioner who is  
21 physically present and is immediately available in the facility,  
22 except as provided in (b) and (c) of this subsection.

23 (b) The health care practitioner does not need to be present  
24 during procedures to withdraw blood, but must be immediately  
25 available.

26 (c) During a telemedicine visit, supervision over a medical  
27 assistant assisting a health care practitioner with the telemedicine  
28 visit may be provided through interactive audio and video  
29 telemedicine technology.

30 NEW SECTION. Sec. 3. Section 1 of this act is necessary for the  
31 immediate preservation of the public peace, health, or safety, or  
32 support of the state government and its existing public institutions,  
33 and takes effect immediately.

34 NEW SECTION. Sec. 4. Section 1 of this act expires July 1,  
35 2022.

1        NEW SECTION.   **Sec. 5.**   Section 2 of this act takes effect July 1,  
2   2022.

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