

HB 2416 - S COMM AMD

By Committee on Health & Long Term Care

ADOPTED 03/01/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 18.79.030 and 2023 c 123 s 19 are each amended to
4 read as follows:

5 (1) It is unlawful for a person to practice or to offer to
6 practice as a registered nurse in this state unless that person has
7 been licensed under this chapter or holds a valid multistate license
8 under chapter 18.80 RCW. A person who holds a license to practice as
9 a registered nurse in this state may use the titles "registered
10 nurse" and "nurse" and the abbreviation "R.N." No other person may
11 assume those titles or use the abbreviation or any other words,
12 letters, signs, or figures to indicate that the person using them is
13 a registered nurse.

14 (2) It is unlawful for a person to practice or to offer to
15 practice as an advanced practice registered nurse (~~((practitioner))~~) or
16 as a nurse practitioner in this state unless that person has been
17 licensed under this chapter. A person who holds a license to practice
18 as an advanced practice registered nurse (~~((practitioner))~~) in this
19 state may use the titles "advanced practice registered nurse
20 (~~((practitioner))~~)," "nurse practitioner," and "nurse" and the
21 abbreviations "~~((A.R.N.P.))~~ A.P.R.N." and "N.P." No other person may
22 assume those titles or use those abbreviations or any other words,
23 letters, signs, or figures to indicate that the person using them is
24 an advanced practice registered nurse (~~((practitioner))~~) or nurse
25 practitioner.

26 (3) It is unlawful for a person to practice or to offer to
27 practice as a licensed practical nurse in this state unless that
28 person has been licensed under this chapter or holds a valid
29 multistate license under chapter 18.80 RCW. A person who holds a
30 license to practice as a licensed practical nurse in this state may
31 use the titles "licensed practical nurse" and "nurse" and the

1 abbreviation "L.P.N." No other person may assume those titles or use
2 that abbreviation or any other words, letters, signs, or figures to
3 indicate that the person using them is a licensed practical nurse.

4 (4) Nothing in this section shall prohibit a person listed as a
5 Christian Science nurse in the Christian Science Journal published by
6 the Christian Science Publishing Society, Boston, Massachusetts, from
7 using the title "Christian Science nurse," so long as such person
8 does not hold himself or herself out as a registered nurse, advanced
9 practice registered nurse (~~(practitioner)~~), nurse practitioner, or
10 licensed practical nurse, unless otherwise authorized by law to do
11 so.

12 **Sec. 2.** RCW 18.79.040 and 2020 c 80 s 15 are each amended to
13 read as follows:

14 (1) "Registered nursing practice" means the performance of acts
15 requiring substantial specialized knowledge, judgment, and skill
16 based on the principles of the biological, physiological, behavioral,
17 and sociological sciences in either:

18 (a) The observation, assessment, diagnosis, care or counsel, and
19 health teaching of individuals with illnesses, injuries, or
20 disabilities, or in the maintenance of health or prevention of
21 illness of others;

22 (b) The performance of such additional acts requiring education
23 and training and that are recognized by the medical and nursing
24 professions as proper and recognized by the (~~(commission)~~) board to
25 be performed by registered nurses licensed under this chapter and
26 that are authorized by the (~~(commission)~~) board through its rules;

27 (c) The administration, supervision, delegation, and evaluation
28 of nursing practice. However, nothing in this subsection affects the
29 authority of a hospital, hospital district, in-home service agency,
30 community-based care setting, medical clinic, or office, concerning
31 its administration and supervision;

32 (d) The teaching of nursing;

33 (e) The executing of medical regimen as prescribed by a licensed
34 physician and surgeon, dentist, osteopathic physician and surgeon,
35 podiatric physician and surgeon, physician assistant, or advanced
36 practice registered nurse (~~(practitioner)~~), or as directed by a
37 licensed midwife within his or her scope of practice.

38 (2) Nothing in this section prohibits a person from practicing a
39 profession for which a license has been issued under the laws of this

1 state or specifically authorized by any other law of the state of
2 Washington.

3 (3) This section does not prohibit (a) the nursing care of the
4 sick, without compensation, by an unlicensed person who does not hold
5 himself or herself out to be a registered nurse, (b) the practice of
6 licensed practical nursing by a licensed practical nurse, or (c) the
7 practice of a nursing assistant, providing delegated nursing tasks
8 under chapter 18.88A RCW.

9 **Sec. 3.** RCW 18.79.050 and 2000 c 64 s 2 are each amended to read
10 as follows:

11 "Advanced practice registered nursing (~~(practice)~~)" means the
12 performance of the acts of a registered nurse and the performance of
13 an expanded role in providing health care services as recognized by
14 the medical and nursing professions, the scope of which is defined by
15 rule by the (~~(commission)~~) board. Upon approval by the (~~(commission)~~)
16 board, an advanced practice registered nurse (~~(practitioner)~~) may
17 prescribe legend drugs and controlled substances contained in
18 Schedule V of the Uniform Controlled Substances Act, chapter 69.50
19 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or
20 (s).

21 Nothing in this section prohibits a person from practicing a
22 profession for which a license has been issued under the laws of this
23 state or specifically authorized by any other law of the state of
24 Washington.

25 This section does not prohibit (1) the nursing care of the sick,
26 without compensation, by an unlicensed person who does not hold
27 himself or herself out to be an advanced practice registered nurse
28 (~~(practitioner)~~), or (2) the practice of registered nursing by a
29 licensed registered nurse or the practice of licensed practical
30 nursing by a licensed practical nurse.

31 **Sec. 4.** RCW 18.79.060 and 2020 c 80 s 16 are each amended to
32 read as follows:

33 "Licensed practical nursing practice" means the performance of
34 services requiring the knowledge, skill, and judgment necessary for
35 carrying out selected aspects of the designated nursing regimen under
36 the direction and supervision of a licensed physician and surgeon,
37 dentist, osteopathic physician and surgeon, physician assistant,

1 podiatric physician and surgeon, advanced practice registered nurse
2 (~~practitioner~~), registered nurse, or midwife.

3 Nothing in this section prohibits a person from practicing a
4 profession for which a license has been issued under the laws of this
5 state or specifically authorized by any other law of the state of
6 Washington.

7 This section does not prohibit the nursing care of the sick,
8 without compensation, by an unlicensed person who does not hold
9 himself or herself out to be a licensed practical nurse.

10 **Sec. 5.** RCW 18.79.070 and 2022 c 240 s 32 are each amended to
11 read as follows:

12 (1) The state (~~nursing care quality assurance commission~~) board
13 is established, consisting of fifteen members to be appointed by the
14 governor to four-year terms. The governor shall consider nursing
15 members who are recommended for appointment by the appropriate
16 professional associations in the state. No person may serve as a
17 member of the (~~commission~~) board for more than two consecutive full
18 terms.

19 (2) There must be seven registered nurse members, two advanced
20 practice registered nurse (~~practitioner~~) members, three licensed
21 practical nurse members, and three public members on the
22 (~~commission~~) board. Each member of the (~~commission~~) board must be
23 a resident of this state.

24 (3) (a) Registered nurse members of the (~~commission~~) board must:

25 (i) Be licensed as registered nurses under this chapter; and
26 (ii) Have had at least three years' experience in the active
27 practice of nursing and have been engaged in that practice within two
28 years of appointment.

29 (b) In addition:

30 (i) At least one member must be on the faculty at a four-year
31 university nursing program;

32 (ii) At least one member must be on the faculty at a two-year
33 community college nursing program;

34 (iii) At least two members must be staff nurses providing direct
35 patient care; and

36 (iv) At least one member must be a nurse manager or a nurse
37 executive.

38 (4) Advanced practice registered nurse (~~practitioner~~) members
39 of the (~~commission~~) board must:

1 (a) Be licensed as advanced practice registered nurses
2 ((practitioners)) under this chapter; and

3 (b) Have had at least three years' experience in the active
4 practice of advanced practice registered nursing and have been
5 engaged in that practice within two years of appointment.

6 (5) Licensed practical nurse members of the ((commission)) board
7 must:

8 (a) Be licensed as licensed practical nurses under this chapter;
9 and

10 (b) Have had at least three years' actual experience as a
11 licensed practical nurse and have been engaged in practice as a
12 practical nurse within two years of appointment.

13 (6) Public members of the ((commission)) board may not be a
14 member of any other health care licensing board or commission, or
15 have a fiduciary obligation to a facility rendering health services
16 regulated by the ((commission)) board, or have a material or
17 financial interest in the rendering of health services regulated by
18 the ((commission)) board.

19 ~~((In appointing the initial members of the commission, it is the
20 intent of the legislature that, to the extent possible, the governor
21 appoint the existing members of the board of nursing and the board of
22 practical nursing repealed under chapter 9, Laws of 1994 sp. sess.
23 The governor may appoint initial members of the commission to
24 staggered terms of from one to four years. Thereafter, all members
25 shall be appointed to full four-year terms.))~~ Members of the
26 ((commission)) board hold office until their successors are
27 appointed.

28 When the secretary appoints pro tem members, reasonable efforts
29 shall be made to ensure that at least one pro tem member is a
30 registered nurse who is currently practicing and, in addition to
31 meeting other minimum qualifications, has graduated from an associate
32 or baccalaureate nursing program within three years of appointment.

33 **Sec. 6.** RCW 18.79.110 and 2023 c 126 s 8 are each amended to
34 read as follows:

35 (1) The ((commission)) board shall keep a record of all of its
36 proceedings and make such reports to the governor as may be required.
37 The ((commission)) board shall define by rules what constitutes
38 specialized and advanced levels of nursing practice as recognized by
39 the medical and nursing profession. The ((commission)) board may

1 adopt rules or issue advisory opinions in response to questions put
2 to it by professional health associations, nursing practitioners, and
3 consumers in this state concerning the authority of various
4 categories of nursing practitioners to perform particular acts.

5 (2) The ~~((commission))~~ board shall approve curricula and shall
6 establish criteria for minimum standards for schools preparing
7 persons for licensing as registered nurses, advanced practice
8 registered nurses ~~((practitioners))~~, and licensed practical nurses
9 under this chapter. The ~~((commission))~~ board shall approve such
10 schools of nursing as meet the requirements of this chapter and the
11 ~~((commission))~~ board, and the ~~((commission))~~ board shall approve
12 establishment of basic nursing education programs and shall establish
13 criteria as to the need for and the size of a program and the type of
14 program and the geographical location. The ~~((commission))~~ board shall
15 establish criteria for proof of reasonable currency of knowledge and
16 skill as a basis for safe practice after three years' inactive or
17 lapsed status. The ~~((commission))~~ board shall establish criteria for
18 licensing by endorsement. The ~~((commission))~~ board shall determine
19 examination requirements for applicants for licensing as registered
20 nurses, advanced practice registered nurses ~~((practitioners))~~, and
21 licensed practical nurses under this chapter, and shall certify to
22 the secretary for licensing duly qualified applicants. The
23 ~~((commission))~~ board shall adopt rules which allow for one hour of
24 simulated learning to be counted as equivalent to two hours of
25 clinical placement learning, with simulated learning accounting for
26 up to a maximum of 50 percent of the required clinical hours.

27 (3) The ~~((commission))~~ board shall adopt rules on continuing
28 competency. The rules must include exemptions from the continuing
29 competency requirements for registered nurses seeking advanced
30 nursing degrees. Nothing in this subsection prohibits the
31 ~~((commission))~~ board from providing additional exemptions for any
32 person credentialed under this chapter who is enrolled in an advanced
33 education program.

34 (4) The ~~((commission))~~ board shall adopt such rules under chapter
35 34.05 RCW as are necessary to fulfill the purposes of this chapter.

36 (5) The ~~((commission))~~ board is the successor in interest of the
37 board of nursing and the board of practical nursing. All contracts,
38 undertakings, agreements, rules, regulations, decisions, orders, and
39 policies of the former board of nursing or the board of practical
40 nursing continue in full force and effect under the ~~((commission))~~

1 board until the ((~~commission~~)) board amends or rescinds those rules,
2 regulations, decisions, orders, or policies.

3 (6) The members of the ((~~commission~~)) board are immune from suit
4 in an action, civil or criminal, based on its disciplinary
5 proceedings or other official acts performed in good faith as members
6 of the ((~~commission~~)) board.

7 (7) Whenever the workload of the ((~~commission~~)) board requires,
8 the ((~~commission~~)) board may request that the secretary appoint pro
9 tempore members of the ((~~commission~~)) board. When serving, pro
10 tempore members of the ((~~commission~~)) board have all of the powers,
11 duties, and immunities, and are entitled to all of the emoluments,
12 including travel expenses, of regularly appointed members of the
13 ((~~commission~~)) board.

14 **Sec. 7.** RCW 18.79.160 and 2004 c 262 s 6 are each amended to
15 read as follows:

16 (1) An applicant for a license to practice as a registered nurse
17 shall submit to the ((~~commission~~)) board:

- 18 (a) An attested written application on a department form;
- 19 (b) An official transcript demonstrating graduation and
20 successful completion of an approved program of nursing; and
- 21 (c) Any other official records specified by the ((~~commission~~))
22 board.

23 (2) An applicant for a license to practice as an advanced
24 practice registered nurse ((~~practitioner~~)) shall submit to the
25 ((~~commission~~)) board:

- 26 (a) An attested written application on a department form;
- 27 (b) An official transcript demonstrating graduation and
28 successful completion of an advanced practice registered nurse
29 ((~~practitioner~~)) program meeting criteria established by the
30 ((~~commission~~)) board; and
- 31 (c) Any other official records specified by the ((~~commission~~))
32 board.

33 (3) An applicant for a license to practice as a licensed
34 practical nurse shall submit to the ((~~commission~~)) board:

- 35 (a) An attested written application on a department form;
- 36 (b) Written official evidence that the applicant is over the age
37 of eighteen;

1 (c) An official transcript demonstrating graduation and
2 successful completion of an approved practical nursing program, or
3 its equivalent; and

4 (d) Any other official records specified by the (~~commission~~)
5 board.

6 (4) At the time of submission of the application, the applicant
7 for a license to practice as a registered nurse, advanced practice
8 registered nurse (~~practitioner~~), or licensed practical nurse must
9 not be in violation of chapter 18.130 RCW or this chapter.

10 (5) The (~~commission~~) board shall establish by rule the criteria
11 for evaluating the education of all applicants.

12 **Sec. 8.** RCW 18.79.170 and 1994 sp.s. c 9 s 417 are each amended
13 to read as follows:

14 An applicant for a license to practice as a registered nurse,
15 advanced practice registered nurse (~~practitioner~~), or licensed
16 practical nurse must pass an examination in subjects determined by
17 the (~~commission~~) board. The examination may be supplemented by an
18 oral or practical examination. The (~~commission~~) board shall
19 establish by rule the requirements for applicants who have failed the
20 examination to qualify for reexamination.

21 **Sec. 9.** RCW 18.79.180 and 1994 sp.s. c 9 s 418 are each amended
22 to read as follows:

23 When authorized by the (~~commission~~) board, the department shall
24 issue an interim permit authorizing the applicant to practice
25 registered nursing, advanced practice registered nursing, or licensed
26 practical nursing, as appropriate, from the time of verification of
27 the completion of the school or training program until notification
28 of the results of the examination. Upon the applicant passing the
29 examination, and if all other requirements established by the
30 (~~commission~~) board for licensing are met, the department shall
31 issue the applicant a license to practice registered nursing,
32 advanced practice registered nursing, or licensed practical nursing,
33 as appropriate. If the applicant fails the examination, the interim
34 permit expires upon notification to the applicant, and is not
35 renewable. The holder of an interim permit is subject to chapter
36 18.130 RCW.

1 **Sec. 10.** RCW 18.79.200 and 1996 c 191 s 62 are each amended to
2 read as follows:

3 An applicant for a license to practice as a registered nurse,
4 advanced practice registered nurse (~~(practitioner)~~), or licensed
5 practical nurse shall comply with administrative procedures,
6 administrative requirements, and fees as determined under RCW
7 43.70.250 and 43.70.280.

8 **Sec. 11.** RCW 18.79.230 and 1994 sp.s. c 9 s 423 are each amended
9 to read as follows:

10 A person licensed under this chapter who desires to retire
11 temporarily from registered nursing practice, advanced practice
12 registered nursing (~~(practice)~~), or licensed practical nursing
13 practice in this state shall send a written notice to the secretary.

14 Upon receipt of the notice the department shall place the name of
15 the person on inactive status. While remaining on this status the
16 person shall not practice in this state any form of nursing provided
17 for in this chapter. When the person desires to resume practice, the
18 person shall apply to the (~~(commission)~~) board for renewal of the
19 license and pay a renewal fee to the state treasurer. Persons on
20 inactive status for three years or more must provide evidence of
21 knowledge and skill of current practice as required by the
22 (~~(commission)~~) board or as provided in this chapter.

23 **Sec. 12.** RCW 18.79.240 and 2020 c 80 s 17 are each amended to
24 read as follows:

25 (1) In the context of the definition of registered nursing
26 practice and advanced practice registered nursing (~~(practice)~~), this
27 chapter shall not be construed as:

28 (a) Prohibiting the incidental care of the sick by domestic
29 servants or persons primarily employed as housekeepers, so long as
30 they do not practice registered nursing within the meaning of this
31 chapter;

32 (b) Preventing a person from the domestic administration of
33 family remedies or the furnishing of nursing assistance in case of
34 emergency;

35 (c) Prohibiting the practice of nursing by students enrolled in
36 approved schools as may be incidental to their course of study or
37 prohibiting the students from working as nursing technicians;

1 (d) Prohibiting auxiliary services provided by persons carrying
2 out duties necessary for the support of nursing services, including
3 those duties that involve minor nursing services for persons
4 performed in hospitals, nursing homes, or elsewhere under the
5 direction of licensed physicians or the supervision of licensed
6 registered nurses;

7 (e) Prohibiting the practice of nursing in this state by a
8 legally qualified nurse of another state or territory whose
9 engagement requires him or her to accompany and care for a patient
10 temporarily residing in this state during the period of one such
11 engagement, not to exceed six months in length, if the person does
12 not represent or hold himself or herself out as a registered nurse
13 licensed to practice in this state;

14 (f) Prohibiting nursing or care of the sick, with or without
15 compensation, when done in connection with the practice of the
16 religious tenets of a church by adherents of the church so long as
17 they do not engage in the practice of nursing as defined in this
18 chapter;

19 (g) Prohibiting the practice of a legally qualified nurse of
20 another state who is employed by the United States government or a
21 bureau, division, or agency thereof, while in the discharge of his or
22 her official duties;

23 (h) Permitting the measurement of the powers or range of human
24 vision, or the determination of the accommodation and refractive
25 state of the human eye or the scope of its functions in general, or
26 the fitting or adaptation of lenses for the aid thereof;

27 (i) Permitting the prescribing or directing the use of, or using,
28 an optical device in connection with ocular exercises, visual
29 training, vision training, or orthoptics;

30 (j) Permitting the prescribing of contact lenses for, or the
31 fitting and adaptation of contact lenses to, the human eye;

32 (k) Prohibiting the performance of routine visual screening;

33 (l) Permitting the practice of dentistry or dental hygiene as
34 defined in chapters 18.32 and 18.29 RCW, respectively;

35 (m) Permitting the practice of chiropractic as defined in chapter
36 18.25 RCW including the adjustment or manipulation of the
37 articulation of the spine;

38 (n) Permitting the practice of podiatric medicine and surgery as
39 defined in chapter 18.22 RCW;

1 (o) Permitting the performance of major surgery, except such
2 minor surgery as the (~~commission~~) board may have specifically
3 authorized by rule adopted in accordance with chapter 34.05 RCW;

4 (p) Permitting the prescribing of controlled substances as
5 defined in Schedule I of the Uniform Controlled Substances Act,
6 chapter 69.50 RCW;

7 (q) Prohibiting the determination and pronouncement of death;

8 (r) Prohibiting advanced practice registered nurses
9 (~~practitioners~~), approved by the (~~commission~~) board as certified
10 registered nurse anesthetists from selecting, ordering, or
11 administering controlled substances as defined in Schedules II
12 through IV of the Uniform Controlled Substances Act, chapter 69.50
13 RCW, consistent with their (~~commission~~) board-recognized scope of
14 practice; subject to facility-specific protocols, and subject to a
15 request for certified registered nurse anesthetist anesthesia
16 services issued by a physician licensed under chapter 18.71 RCW, an
17 osteopathic physician and surgeon licensed under chapter 18.57 RCW, a
18 dentist licensed under chapter 18.32 RCW, or a podiatric physician
19 and surgeon licensed under chapter 18.22 RCW; the authority to
20 select, order, or administer Schedule II through IV controlled
21 substances being limited to those drugs that are to be directly
22 administered to patients who require anesthesia for diagnostic,
23 operative, obstetrical, or therapeutic procedures in a hospital,
24 clinic, ambulatory surgical facility, or the office of a practitioner
25 licensed under chapter 18.71, 18.22, 18.36, 18.36A, 18.57, or 18.32
26 RCW; "select" meaning the decision-making process of choosing a drug,
27 dosage, route, and time of administration; and "order" meaning the
28 process of directing licensed individuals pursuant to their statutory
29 authority to directly administer a drug or to dispense, deliver, or
30 distribute a drug for the purpose of direct administration to a
31 patient, under instructions of the certified registered nurse
32 anesthetist. "Protocol" means a statement regarding practice and
33 documentation concerning such items as categories of patients,
34 categories of medications, or categories of procedures rather than
35 detailed case-specific formulas for the practice of nurse anesthesia;

36 (s) Prohibiting advanced practice registered nurses
37 (~~practitioners~~) from ordering or prescribing controlled substances
38 as defined in Schedules II through IV of the Uniform Controlled
39 Substances Act, chapter 69.50 RCW, if and to the extent that doing so
40 is permitted by their scope of practice;

1 (t) Prohibiting the practice of registered nursing or advanced
2 practice registered nursing by a student enrolled in an approved
3 school if:

4 (i) The student performs services without compensation or
5 expectation of compensation as part of a volunteer activity;

6 (ii) The student is under the direct supervision of a registered
7 nurse or advanced practice registered nurse (~~(practitioner)~~) licensed
8 under this chapter, a pharmacist licensed under chapter 18.64 RCW, an
9 osteopathic physician and surgeon licensed under chapter 18.57 RCW,
10 or a physician licensed under chapter 18.71 RCW;

11 (iii) The services the student performs are within the scope of
12 practice of: (A) The nursing profession for which the student is
13 receiving training; and (B) the person supervising the student;

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

17 (v) The student provides proof of current malpractice insurance
18 to the volunteer activity organizer prior to performing any services.

19 (2) In the context of the definition of licensed practical
20 nursing practice, this chapter shall not be construed as:

21 (a) Prohibiting the incidental care of the sick by domestic
22 servants or persons primarily employed as housekeepers, so long as
23 they do not practice practical nursing within the meaning of this
24 chapter;

25 (b) Preventing a person from the domestic administration of
26 family remedies or the furnishing of nursing assistance in case of
27 emergency;

28 (c) Prohibiting the practice of practical nursing by students
29 enrolled in approved schools as may be incidental to their course of
30 study or prohibiting the students from working as nursing assistants;

31 (d) Prohibiting auxiliary services provided by persons carrying
32 out duties necessary for the support of nursing services, including
33 those duties that involve minor nursing services for persons
34 performed in hospitals, nursing homes, or elsewhere under the
35 direction of licensed physicians or the supervision of licensed
36 registered nurses;

37 (e) Prohibiting or preventing the practice of nursing in this
38 state by a legally qualified nurse of another state or territory
39 whose engagement requires him or her to accompany and care for a
40 patient temporarily residing in this state during the period of one

1 such engagement, not to exceed six months in length, if the person
2 does not represent or hold himself or herself out as a licensed
3 practical nurse licensed to practice in this state;

4 (f) Prohibiting nursing or care of the sick, with or without
5 compensation, when done in connection with the practice of the
6 religious tenets of a church by adherents of the church so long as
7 they do not engage in licensed practical nurse practice as defined in
8 this chapter;

9 (g) Prohibiting the practice of a legally qualified nurse of
10 another state who is employed by the United States government or any
11 bureau, division, or agency thereof, while in the discharge of his or
12 her official duties.

13 **Sec. 13.** RCW 18.79.250 and 2000 c 64 s 4 are each amended to
14 read as follows:

15 An advanced practice registered nurse (~~(practitioner)~~) under his
16 or her license may perform for compensation nursing care, as that
17 term is usually understood, of the ill, injured, or infirm, and in
18 the course thereof, she or he may do the following things that shall
19 not be done by a person not so licensed, except as provided in RCW
20 18.79.260 and 18.79.270:

21 (1) Perform specialized and advanced levels of nursing as
22 recognized jointly by the medical and nursing professions, as defined
23 by the (~~(commission)~~) board;

24 (2) Prescribe legend drugs and Schedule V controlled substances,
25 as defined in the Uniform Controlled Substances Act, chapter 69.50
26 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or
27 (s) within the scope of practice defined by the (~~(commission)~~) board;

28 (3) Perform all acts provided in RCW 18.79.260;

29 (4) Hold herself or himself out to the public or designate
30 herself or himself as an advanced practice registered nurse
31 (~~(practitioner)~~) or as a nurse practitioner.

32 **Sec. 14.** RCW 18.79.256 and 2015 c 104 s 1 are each amended to
33 read as follows:

34 An advanced practice registered nurse (~~(practitioner)~~) may sign
35 and attest to any certificates, cards, forms, or other required
36 documentation that a physician may sign, so long as it is within the
37 advanced practice registered nurse's (~~(practitioner's)~~) scope of
38 practice.

1 **Sec. 15.** RCW 18.79.260 and 2022 c 14 s 2 are each amended to
2 read as follows:

3 (1) A registered nurse under his or her license may perform for
4 compensation nursing care, as that term is usually understood, to
5 individuals with illnesses, injuries, or disabilities.

6 (2) A registered nurse may, at or under the general direction of
7 a licensed physician and surgeon, dentist, osteopathic physician and
8 surgeon, naturopathic physician, optometrist, podiatric physician and
9 surgeon, physician assistant, advanced practice registered nurse
10 (~~practitioner~~), or midwife acting within the scope of his or her
11 license, administer medications, treatments, tests, and inoculations,
12 whether or not the severing or penetrating of tissues is involved and
13 whether or not a degree of independent judgment and skill is
14 required. Such direction must be for acts which are within the scope
15 of registered nursing practice.

16 (3) A registered nurse may delegate tasks of nursing care to
17 other individuals where the registered nurse determines that it is in
18 the best interest of the patient.

19 (a) The delegating nurse shall:

20 (i) Determine the competency of the individual to perform the
21 tasks;

22 (ii) Evaluate the appropriateness of the delegation;

23 (iii) Supervise the actions of the person performing the
24 delegated task; and

25 (iv) Delegate only those tasks that are within the registered
26 nurse's scope of practice.

27 (b) A registered nurse, working for a home health or hospice
28 agency regulated under chapter 70.127 RCW, may delegate the
29 application, instillation, or insertion of medications to a
30 registered or certified nursing assistant under a plan of care.

31 (c) Except as authorized in (b) or (e) of this subsection, a
32 registered nurse may not delegate the administration of medications.
33 Except as authorized in (e) or (f) of this subsection, a registered
34 nurse may not delegate acts requiring substantial skill, and may not
35 delegate piercing or severing of tissues. Acts that require nursing
36 judgment shall not be delegated.

37 (d) No person may coerce a nurse into compromising patient safety
38 by requiring the nurse to delegate if the nurse determines that it is
39 inappropriate to do so. Nurses shall not be subject to any employer
40 reprisal or disciplinary action by the (~~nursing care quality~~

1 ~~assurance—commission~~)) board for refusing to delegate tasks or
2 refusing to provide the required training for delegation if the nurse
3 determines delegation may compromise patient safety.

4 (e) For delegation in community-based care settings or in-home
5 care settings, a registered nurse may delegate nursing care tasks
6 only to registered or certified nursing assistants under chapter
7 18.88A RCW or home care aides certified under chapter 18.88B RCW.
8 Simple care tasks such as blood pressure monitoring, personal care
9 service, diabetic insulin device set up, verbal verification of
10 insulin dosage for sight-impaired individuals, or other tasks as
11 defined by the (~~nursing care quality assurance commission~~) board
12 are exempted from this requirement.

13 (i) "Community-based care settings" includes: Community
14 residential programs for people with developmental disabilities,
15 certified by the department of social and health services under
16 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
17 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
18 Community-based care settings do not include acute care or skilled
19 nursing facilities.

20 (ii) "In-home care settings" include an individual's place of
21 temporary or permanent residence, but does not include acute care or
22 skilled nursing facilities, and does not include community-based care
23 settings as defined in (e)(i) of this subsection.

24 (iii) Delegation of nursing care tasks in community-based care
25 settings and in-home care settings is only allowed for individuals
26 who have a stable and predictable condition. "Stable and predictable
27 condition" means a situation in which the individual's clinical and
28 behavioral status is known and does not require the frequent presence
29 and evaluation of a registered nurse.

30 (iv) The determination of the appropriateness of delegation of a
31 nursing task is at the discretion of the registered nurse. Other than
32 delegation of the administration of insulin by injection for the
33 purpose of caring for individuals with diabetes, the administration
34 of medications by injection, sterile procedures, and central line
35 maintenance may never be delegated.

36 (v) When delegating insulin injections under this section, the
37 registered nurse delegator must instruct the individual regarding
38 proper injection procedures and the use of insulin, demonstrate
39 proper injection procedures, and must supervise and evaluate the
40 individual performing the delegated task as required by the

1 ((~~commission~~)) board by rule. If the registered nurse delegator
2 determines that the individual is competent to perform the injection
3 properly and safely, supervision and evaluation shall occur at an
4 interval determined by the ((~~commission~~)) board by rule.

5 (vi)(A) The registered nurse shall verify that the nursing
6 assistant or home care aide, as the case may be, has completed the
7 required core nurse delegation training required in chapter 18.88A or
8 18.88B RCW prior to authorizing delegation.

9 (B) Before commencing any specific nursing tasks authorized to be
10 delegated in this section, a home care aide must be certified
11 pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

12 (vii) The nurse is accountable for his or her own individual
13 actions in the delegation process. Nurses acting within the protocols
14 of their delegation authority are immune from liability for any
15 action performed in the course of their delegation duties.

16 (viii) Nursing task delegation protocols are not intended to
17 regulate the settings in which delegation may occur, but are intended
18 to ensure that nursing care services have a consistent standard of
19 practice upon which the public and the profession may rely, and to
20 safeguard the authority of the nurse to make independent professional
21 decisions regarding the delegation of a task.

22 (f) The delegation of nursing care tasks only to registered or
23 certified nursing assistants under chapter 18.88A RCW or to home care
24 aides certified under chapter 18.88B RCW may include glucose
25 monitoring and testing.

26 (g) The ((~~nursing care quality assurance commission~~)) board may
27 adopt rules to implement this section.

28 (4) Only a person licensed as a registered nurse may instruct
29 nurses in technical subjects pertaining to nursing.

30 (5) Only a person licensed as a registered nurse may hold herself
31 or himself out to the public or designate herself or himself as a
32 registered nurse.

33 **Sec. 16.** RCW 18.79.270 and 2020 c 80 s 19 are each amended to
34 read as follows:

35 A licensed practical nurse under his or her license may perform
36 nursing care, as that term is usually understood, of the ill,
37 injured, or infirm, and in the course thereof may, under the
38 direction of a licensed physician and surgeon, osteopathic physician
39 and surgeon, dentist, naturopathic physician, podiatric physician and

1 surgeon, physician assistant, advanced practice registered nurse
2 (~~practitioner~~), or midwife acting under the scope of his or her
3 license, or at the direction and under the supervision of a
4 registered nurse, administer drugs, medications, treatments, tests,
5 injections, and inoculations, whether or not the piercing of tissues
6 is involved and whether or not a degree of independent judgment and
7 skill is required, when selected to do so by one of the licensed
8 practitioners designated in this section, or by a registered nurse
9 who need not be physically present; if the order given is reduced to
10 writing within a reasonable time and made a part of the patient's
11 record. Such direction must be for acts within the scope of licensed
12 practical nurse practice.

13 **Sec. 17.** RCW 18.79.290 and 1994 sp.s. c 9 s 429 are each amended
14 to read as follows:

15 (1) In accordance with rules adopted by the (~~commission~~) board,
16 public school districts and private schools that offer classes for
17 any of grades kindergarten through twelve may provide for clean,
18 intermittent bladder catheterization of students or assisted self-
19 catheterization of students who are in the custody of the school
20 district or private school at the time. After consultation with staff
21 of the superintendent of public instruction, the (~~commission~~) board
22 shall adopt rules in accordance with chapter 34.05 RCW, that provide
23 for the following and such other matters as the (~~commission~~) board
24 deems necessary to the proper implementation of this section:

25 (a) A requirement for a written, current, and unexpired request
26 from a parent, legal guardian, or other person having legal control
27 over the student that the school district or private school provide
28 for the catheterization of the student;

29 (b) A requirement for a written, current, and unexpired request
30 from a physician licensed under chapter 18.71 or 18.57 RCW, that
31 catheterization of the student be provided for during the hours when
32 school is in session or the hours when the student is under the
33 supervision of school officials;

34 (c) A requirement for written, current, and unexpired
35 instructions from an advanced practice registered nurse
36 (~~practitioner~~) or a registered nurse licensed under this chapter
37 regarding catheterization that include (i) a designation of the
38 school district or private school employee or employees who may

1 provide for the catheterization, and (ii) a description of the nature
2 and extent of any required supervision; and

3 (d) The nature and extent of acceptable training that shall (i)
4 be provided by a physician, advanced practice registered nurse
5 (~~(practitioner)~~), or registered nurse licensed under chapter 18.71 or
6 18.57 RCW, or this chapter, and (ii) be required of school district
7 or private school employees who provide for the catheterization of a
8 student under this section, except that a licensed practical nurse
9 licensed under this chapter is exempt from training.

10 (2) This section does not require school districts to provide
11 intermittent bladder catheterization of students.

12 **Sec. 18.** RCW 18.79.400 and 2010 c 209 s 7 are each amended to
13 read as follows:

14 (1) By June 30, 2011, the (~~(commission)~~) board shall adopt new
15 rules on chronic, noncancer pain management that contain the
16 following elements:

17 (a) (i) Dosing criteria, including:

18 (A) A dosage amount that must not be exceeded unless an advanced
19 practice registered nurse (~~(practitioner)~~) or certified registered
20 nurse anesthetist first consults with a practitioner specializing in
21 pain management; and

22 (B) Exigent or special circumstances under which the dosage
23 amount may be exceeded without consultation with a practitioner
24 specializing in pain management.

25 (ii) The rules regarding consultation with a practitioner
26 specializing in pain management must, to the extent practicable, take
27 into account:

28 (A) Circumstances under which repeated consultations would not be
29 necessary or appropriate for a patient undergoing a stable, ongoing
30 course of treatment for pain management;

31 (B) Minimum training and experience that is sufficient to exempt
32 an advanced practice registered nurse (~~(practitioner)~~) or certified
33 registered nurse anesthetist from the specialty consultation
34 requirement;

35 (C) Methods for enhancing the availability of consultations;

36 (D) Allowing the efficient use of resources; and

37 (E) Minimizing the burden on practitioners and patients;

38 (b) Guidance on when to seek specialty consultation and ways in
39 which electronic specialty consultations may be sought;

1 (c) Guidance on tracking clinical progress by using assessment
2 tools focusing on pain interference, physical function, and overall
3 risk for poor outcome; and

4 (d) Guidance on tracking the use of opioids, particularly in the
5 emergency department.

6 (2) The (~~commission~~) board shall consult with the agency
7 medical directors' group, the department of health, the University of
8 Washington, and the largest professional associations for advanced
9 practice registered nurses (~~practitioners~~) and certified registered
10 nurse anesthetists in the state.

11 (3) The rules adopted under this section do not apply:

12 (a) To the provision of palliative, hospice, or other end-of-life
13 care; or

14 (b) To the management of acute pain caused by an injury or a
15 surgical procedure.

16 **Sec. 19.** RCW 18.79.800 and 2017 c 297 s 8 are each amended to
17 read as follows:

18 (1) By January 1, 2019, the (~~commission~~) board must adopt rules
19 establishing requirements for prescribing opioid drugs. The rules may
20 contain exemptions based on education, training, amount of opioids
21 prescribed, patient panel, and practice environment.

22 (2) In developing the rules, the (~~commission~~) board must
23 consider the agency medical directors' group and centers for disease
24 control guidelines, and may consult with the department of health,
25 the University of Washington, and the largest professional
26 associations for advanced practice registered nurses
27 (~~practitioners~~) and certified registered nurse anesthetists in the
28 state.

29 **Sec. 20.** RCW 18.79.810 and 2019 c 314 s 10 are each amended to
30 read as follows:

31 By January 1, 2020, the (~~commission~~) board must adopt or amend
32 its rules to require advanced practice registered nurses
33 (~~practitioners~~) who prescribe opioids to inform patients of their
34 right to refuse an opioid prescription or order for any reason. If a
35 patient indicates a desire to not receive an opioid, the advanced
36 practice registered nurse (~~practitioner~~) must document the
37 patient's request and avoid prescribing or ordering opioids, unless
38 the request is revoked by the patient.

1 NEW SECTION. **Sec. 21.** The office of the code reviser shall
2 prepare bill language correcting references in the Revised Code of
3 Washington from advanced registered nurse practitioner to advanced
4 practice registered nurse and include this bill language in its 2025
5 technical corrections bill by December 31, 2024.

6 NEW SECTION. **Sec. 22.** Except for section 21 of this act, this
7 act takes effect June 30, 2027."

HB 2416 - S COMM AMD
By Committee on Health & Long Term Care

ADOPTED 03/01/2024

8 On page 1, line 2 of the title, after "nurses;" strike the
9 remainder of the title and insert "amending RCW 18.79.030, 18.79.040,
10 18.79.050, 18.79.060, 18.79.070, 18.79.110, 18.79.160, 18.79.170,
11 18.79.180, 18.79.200, 18.79.230, 18.79.240, 18.79.250, 18.79.256,
12 18.79.260, 18.79.270, 18.79.290, 18.79.400, 18.79.800, and 18.79.810;
13 and providing an effective date."

EFFECT: Directs the Code Reviser's Office (CRO) to prepare bill language correcting references in the Revised Code of Washington from advanced registered nurse practitioner to advanced practice registered nurse and include this bill language in the CRO's 2025 technical corrections bill by December 31, 2024.

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