

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5582

68th Legislature
2023 Regular Session

Passed by the Senate March 6, 2023
Yeas 48 Nays 0

President of the Senate

Passed by the House April 7, 2023
Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE SENATE BILL 5582** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5582

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Senate Ways & Means (originally sponsored by Senators Holy, Randall, Rivers, Robinson, Dozier, King, Conway, Shewmake, Padden, Lovick, Gildon, Muzzall, Lovelett, Mullet, Nobles, Saldaña, Valdez, Van De Wege, Wellman, C. Wilson, and L. Wilson)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to reducing barriers and expanding educational
2 opportunities to increase the supply of nurses in Washington;
3 amending RCW 18.79.150 and 18.79.110; adding a new section to chapter
4 28B.50 RCW; adding a new section to chapter 28C.18 RCW; adding new
5 sections to chapter 18.79 RCW; adding a new section to chapter
6 28A.700 RCW; creating new sections; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that nurses are
9 essential to the operation of the state's health care system.
10 Further, the legislature finds that the gap between demand for nurses
11 and an available workforce continues to widen. Nursing professions
12 continue to rank among the highest demand occupations in the state
13 with the number of unfilled openings ranking near the top of all
14 professional categories each month. The legislature finds that the
15 need for nurses is particularly acute in rural hospital and clinical
16 settings as well as long-term care facilities. Further, the
17 legislature finds that there is a need to expand nursing credential
18 opportunities through the expansion of existing postsecondary
19 programs, the provision of adequate compensation for nurse educators,
20 the creation of new and innovative approaches to health care
21 credentials, the creation and expansion of proven pathways to health

1 care careers within the K-12 system, and the streamlining of
2 administrative requirements in the approval of new, high quality
3 nursing education opportunities.

4 **I. EXPAND NURSING CREDENTIAL OPPORTUNITIES**

5 NEW SECTION. **Sec. 2.** (1) Subject to the availability of amounts
6 appropriated for this specific purpose, the community and technical
7 colleges shall develop a plan to train more nurses over the next four
8 years. The state board shall consult with health care employers,
9 local workforce development councils, and exclusive bargaining
10 representatives of nursing professions in development of the plan.
11 The plan must place particular emphasis on training health
12 professionals in key shortage areas, including rural communities. In
13 designing a plan, the state board must prioritize expanding existing
14 programs or creating new ones which:

15 (a) Create new capacity to train licensed practical nurses and
16 registered nurses through apprenticeship programs, certificate
17 programs, associates degrees in nursing, and baccalaureate degrees in
18 nursing;

19 (b) Expand training opportunities for rural and underserved
20 students;

21 (c) Demonstrate or are expected to demonstrate long-term
22 sustainability; and

23 (d) Expand partnerships between employers and exclusive
24 bargaining representatives through joint workforce development
25 initiatives including apprenticeships.

26 (2) The state board for community and technical colleges shall
27 submit a report, in accordance with RCW 43.01.036, to the appropriate
28 committees of the legislature by December 1, 2024, with the details
29 of the plan to increase capacity in nursing education programs.

30 (3) This section expires August 1, 2025.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50
32 RCW to read as follows:

33 Subject to the availability of amounts appropriated for this
34 specific purpose, the community and technical colleges shall design
35 and implement an online curriculum and pathway to earn a licensed
36 practical nursing credential. The college board shall select two
37 colleges, one on either side of the crest of the Cascade mountains,

1 to design and implement the online curriculum. The curriculum may
2 include use of a mobile skills lab or other innovative approaches to
3 ensure access to training opportunities for rural students.

4 NEW SECTION. **Sec. 4.** (1) The home care aide to licensed
5 practical nurse apprenticeship pathway pilot program is created. The
6 workforce training and education coordinating board and the nursing
7 care quality assurance commission shall jointly administer the pilot
8 program in consultation with the department of labor and industries.
9 The pilot program must be located in three geographically disparate
10 sites during the 2023-2025 fiscal biennium. The workforce training
11 and education coordinating board, along with the nursing care quality
12 assurance commission, and the department of labor and industries
13 shall submit a report, in accordance with RCW 43.01.036, to the
14 appropriate committees of the legislature by August 1, 2025, of the
15 status of the pilot program and policy options to scale up the
16 licensed practical nurse apprenticeship pathway pilot program
17 statewide. The report must examine any barriers faced by current and
18 prospective participants in the pilot program including, but not
19 limited to, the academic preparation needs of home care aides
20 selected for participation in the pilot program and the availability
21 of enrollment spots in nursing educational programs for qualified
22 applicants.

23 (2) This section expires August 1, 2025.

24 NEW SECTION. **Sec. 5.** A new section is added to chapter 28C.18
25 RCW to read as follows:

26 Subject to the availability of amounts appropriated for this
27 specific purpose, the workforce training and education coordinating
28 board shall contract with a firm that has expertise in public
29 relations and marketing to develop and execute a marketing plan about
30 available training opportunities and jobs for certified nursing
31 assistants, personal care aides, licensed practical nurses, licensed
32 vocational nurses, and related nursing professions. The marketing
33 plan must include targeted outreach to serve workforce needs in rural
34 and underserved communities as well as long-term care facilities.
35 Marketing materials containing information about educational and
36 training opportunities should include both postsecondary degree and
37 credential opportunities as well as apprenticeships and training

1 opportunities provided as partnerships between employers and
2 exclusive bargaining representatives.

3 NEW SECTION. **Sec. 6.** (1) The state board for community and
4 technical colleges shall contract with a firm that has expertise in
5 human resources consulting and health care to conduct a salary survey
6 on nurse educator compensation. The salary survey must benchmark both
7 the 50th and 75th percentile of compensation for similarly
8 credentialed nurse educators in the state. The state board for
9 community and technical colleges must report the results of the
10 salary survey, in accordance with RCW 43.01.036, to the appropriate
11 committees of the legislature by December 1, 2024.

12 (2) This section expires August 1, 2025.

13 **II. ELIMINATE BOTTLENECKS IN NURSE TRAINING**

14 **Sec. 7.** RCW 18.79.150 and 1994 sp.s. c 9 s 415 are each amended
15 to read as follows:

16 An institution desiring to conduct a school of registered nursing
17 or a school or program of practical nursing, or both, shall apply to
18 the commission and submit evidence satisfactory to the commission
19 that:

20 (1) It is prepared to carry out the curriculum approved by the
21 commission for basic registered nursing or practical nursing, or
22 both; and

23 (2) It is prepared to meet other standards established by law and
24 by the commission.

25 The commission shall make, or cause to be made, such surveys of
26 the schools and programs, and of institutions and agencies to be used
27 by the schools and programs, as it determines are necessary. If in
28 the opinion of the commission, the requirements for an approved
29 school of registered nursing or a school or program of practical
30 nursing, or both, are met, the commission shall approve the school or
31 program. The nursing commission may grant approval to baccalaureate
32 nursing education programs where the nurse administrator holds a
33 graduate degree with a major in nursing and has sufficient experience
34 as a registered nurse but does not hold a doctoral degree.

35 **Sec. 8.** RCW 18.79.110 and 2013 c 229 s 1 are each amended to
36 read as follows:

1 (1) The commission shall keep a record of all of its proceedings
2 and make such reports to the governor as may be required. The
3 commission shall define by rules what constitutes specialized and
4 advanced levels of nursing practice as recognized by the medical and
5 nursing profession. The commission may adopt rules or issue advisory
6 opinions in response to questions put to it by professional health
7 associations, nursing practitioners, and consumers in this state
8 concerning the authority of various categories of nursing
9 practitioners to perform particular acts.

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

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

37 (4) The commission shall adopt such rules under chapter 34.05 RCW
38 as are necessary to fulfill the purposes of this chapter.

39 (5) The commission is the successor in interest of the board of
40 nursing and the board of practical nursing. All contracts,

1 undertakings, agreements, rules, regulations, decisions, orders, and
2 policies of the former board of nursing or the board of practical
3 nursing continue in full force and effect under the commission until
4 the commission amends or rescinds those rules, regulations,
5 decisions, orders, or policies.

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

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

16 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.79
17 RCW to read as follows:

18 (1) Subject to the availability of amounts appropriated for this
19 specific purpose, the legislature intends to expand the student nurse
20 preceptor grant program to help reduce the shortage of health care
21 training settings for students and increase the numbers of nurses in
22 the workforce.

23 (2)(a) The grant program shall provide incentive pay for
24 individuals serving as clinical supervisors to nursing candidates
25 with a focus on acute shortage areas including those in rural and
26 underserved communities and long-term care facilities. The desired
27 outcomes of the grant program include increased clinical
28 opportunities for nursing students. In part, increased clinical
29 opportunities shall be achieved through reducing the required number
30 of qualifying hours of precepting clinical instruction per student
31 from 100 to 80. The commission shall consult with collective
32 bargaining representatives of nurses who serve as clinical
33 supervisors in the development of the grant program.

34 (b) The commission shall submit a report, in accordance with RCW
35 43.01.036, to the office of financial management and the appropriate
36 committees of the legislature by September 30, 2025, on the outcomes
37 of the grant program. The report must include:

38 (i) A description of the mechanism for incentivizing supervisor
39 pay and other strategies;

1 (ii) The number of supervisors that received bonus pay and the
2 number of sites used;

3 (iii) The number of students that received supervision at each
4 site;

5 (iv) The number of supervision hours provided at each site;

6 (v) Initial reporting on the number of students who received
7 supervision through the programs that moved into a permanent position
8 with the program at the end of their supervision; and

9 (vi) Recommendations to scale up the program or otherwise recruit
10 nurse preceptors in shortage areas.

11 III. GROW K-12 PATHWAYS INTO HEALTH CARE CREDENTIALS

12 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.700
13 RCW to read as follows:

14 (1) Subject to the availability of amounts appropriated for this
15 specific purpose, the office of the superintendent of public
16 instruction shall establish and administer a grant program for the
17 purpose of supporting high school career and technical education
18 programs in starting or expanding offerings in health science
19 programs.

20 (2) Grants must be awarded through a competitive grant process
21 administered by the office of the superintendent of public
22 instruction. In developing award criteria, the office of the
23 superintendent of public instruction must consult with the workforce
24 training and education coordinating board and the Washington state
25 apprenticeship and training council.

26 (3) Grant funds may be allocated on a one-time or ongoing basis
27 dependent on the needs of the program and may be used to purchase or
28 improve curriculum, add additional staff, upgrade technology and
29 equipment to meet industry standards, and for other purposes intended
30 to initiate a new health science program or improve the rigor and
31 quality of an existing health science program. Priority must be given
32 to grant applications that include partnerships between employers and
33 exclusive bargaining representatives as sponsors or cosponsors.

34 (4) Programs receiving funds under this section must meet the
35 minimum criteria for preparatory secondary career and technical
36 education programs under RCW 28A.700.030.

1 NEW SECTION. **Sec. 11.** A new section is added to chapter 18.79
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the commission, in collaboration with rural
5 hospitals, relevant employer and exclusive bargaining unit
6 partnerships, nursing assistant-certified training programs, the
7 department of health, and the department of labor and industries,
8 shall establish at least two pilot projects for rural hospitals to
9 utilize high school students who are training to become nursing
10 assistant-certified or high school students who are nursing
11 assistant-certified to help address the workforce shortages and
12 promote nursing careers in rural hospitals. As part of the program,
13 students must receive information about related careers and
14 educational and training opportunities including certified medical
15 assistants, licensed practical nurses, and registered nurses.

16 (2) At least one of the rural hospitals participating in the
17 pilot projects must be east of the crest of the Cascade mountains and
18 at least one of the rural hospitals participating in the pilot
19 projects must be west of the crest of the Cascade mountains.

20 (3) The pilot projects shall prioritize using the nursing
21 assistant-certified high school students to their full scope of
22 practice and identify any barriers to doing this.

23 (4) The commission may contract with an employer and exclusive
24 bargaining unit partnership, nursing consultant, and health services
25 consultant to assist with establishing and supporting the pilot
26 project, including identifying participants, coordinating with the
27 groups and agencies as referenced in subsection (1) of this section
28 and other stakeholders, and preparing reports to the legislature.

29 (5) The commission shall submit a report, in accordance with RCW
30 43.01.036, to the health care committees of the legislature by
31 December 1, 2024, and December 1, 2025, with the status of the pilot
32 projects and any findings and recommendations.

33 (6) This section expires July 1, 2026.

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