

**WAC 246-840-583 Early remediation program criteria.** (1) In any complaint where the commission identifies practice deficiencies, the commission may resolve the matter through the early remediation program.

(2) The commission shall use the following criteria to determine eligibility for early remediation:

(a) The identified practice deficiencies could be corrected by remedial education, on-the-job training and practice monitoring within six months or less, and patient protection does not require significant long-term practice limits;

(b) The nurse is willing and able to participate in the early remediation program;

(c) The nurse's current employer agrees to participate in the action plan;

(d) The nurse has no current charges or disciplinary history of unprofessional conduct and has not previously participated in an action plan; and

(e) The degree of patient harm suffered as a result of the nurse's substandard practice is minor, if any.

(3) The commission shall use the following process to implement the early remediation program:

(a) After a preliminary investigation identifies the practice deficiencies the commission will apply criteria in subsection (2)(a) through (e) of this section to determine eligibility for early remediation;

(b) If all of the criteria are met, and if the commission determines the nurse is eligible for participation in the early remediation program the commission shall propose an action plan to the nurse and employer.

(c) If the nurse complies with the agreed action plan, the commission may consider the nurse's completion of the action plan as grounds to close the matter without further action.

(d) The commission shall evaluate whether the practice deficiencies have been corrected and are unlikely to recur; and

(e) The commission may decide to conduct a full investigation and consider disciplinary action if additional facts become known or circumstances change such that the nurse is no longer eligible based on the criteria in subsection (2)(a) through (e) of this section.

[Statutory Authority: RCW 18.79.110 and 18.130.050. WSR 10-17-107, § 246-840-583, filed 8/17/10, effective 9/17/10.]