

SUBSTITUTE HOUSE BILL 1141

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Government Administration (originally sponsored by Representatives Scott, Dunshee and Poulsen; by request of Governor Lowry)

Read first time 02/13/97.

1 AN ACT Relating to the elimination and consolidation of boards and
2 commissions; amending RCW 18.135.030, 43.43.705, 43.43.785, and
3 43.43.800; creating new sections; repealing RCW 28C.20.010, 28C.20.020,
4 28C.20.030, 43.43.790, 43.43.795, and 42.17.261; providing an effective
5 date; and declaring an emergency.

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

PART 1

HEALTH CARE ASSISTANTS ADVISORY COMMITTEE

9 **Sec. 101.** RCW 18.135.030 and 1994 sp.s. c 9 s 515 are each amended
10 to read as follows:

11 (1) The secretary or the secretary's designee(, with the advice of
12 designees of the medical care quality assurance commission, the board
13 of osteopathic medicine and surgery, the podiatric medical board, and
14 the nursing care quality assurance commission,)) may appoint members of
15 the health care assistant profession and other health care
16 practitioners, as defined in RCW 18.135.020(3), to serve in an ad hoc
17 capacity to assist in carrying out the provisions of this chapter. The
18 members shall provide advice on matters specifically identified and

1 requested by the secretary. The members shall be reimbursed for travel
2 expenses under RCW 43.03.050 and 43.03.060.

3 (2) In addition to any other authority provided by law, the
4 secretary shall adopt rules necessary to:

5 (a) Administer, implement, and enforce this chapter ((and));

6 (b) Establish the minimum requirements necessary for a health care
7 facility or health care practitioner to certify a health care assistant
8 capable of performing the functions authorized in this chapter((~~The~~
9 rules shall)); and

10 (c) Establish minimum requirements for each and every category of
11 health care assistant. ((Said))

12 (3) The rules shall be adopted after fair consideration of input
13 from representatives of each category. These requirements shall ensure
14 that the public health and welfare are protected and shall include, but
15 not be limited to, the following factors:

16 ((+1)) (a) The education and occupational qualifications for the
17 health care assistant category;

18 ((+2)) (b) The work experience for the health care assistant
19 category;

20 ((+3)) (c) The instruction and training provided for the health
21 care assistant category; and

22 ((+4)) (d) The types of drugs or diagnostic agents which may be
23 administered by injection by health care assistants working in a
24 hospital or nursing home. The rules established ((pursuant to)) under
25 this subsection shall not prohibit health care assistants working in a
26 health care facility other than a nursing home or hospital from
27 performing the functions authorized under this chapter.

28 **PART 2**

29 **WASHINGTON STATE COUNCIL ON VOCATIONAL EDUCATION**

30 NEW SECTION. Sec. 201. The following acts or parts of acts are
31 each repealed:

32 (1) RCW 28C.20.010 and 1991 c 238 s 16;

33 (2) RCW 28C.20.020 and 1991 c 238 s 17; and

34 (3) RCW 28C.20.030 and 1991 c 238 s 18.

35 **PART 3**

36 **WASHINGTON STATE ADVISORY COUNCIL ON CRIMINAL JUSTICE SERVICES**

1 **Sec. 301.** RCW 43.43.705 and 1989 c 334 s 7 are each amended to
2 read as follows:

3 Upon the receipt of identification data from criminal justice
4 agencies within this state, the section shall immediately cause the
5 files to be examined and upon request shall promptly return to the
6 contributor of such data a transcript of the record of previous arrests
7 and dispositions of the persons described in the data submitted.

8 Upon application, the section shall furnish to criminal justice
9 agencies, or to the department of social and health services,
10 hereinafter referred to as the "department", a transcript of the
11 criminal offender record information, dependency record information, or
12 protection proceeding record information available pertaining to any
13 person of whom the section has a record.

14 For the purposes of RCW 43.43.700 through 43.43.800 the following
15 words and phrases shall have the following meanings:

16 "Criminal offender record information" includes, and shall be
17 restricted to identifying data and public record information recorded
18 as the result of an arrest or other initiation of criminal proceedings
19 and the consequent proceedings related thereto. "Criminal offender
20 record information" shall not include intelligence, analytical, or
21 investigative reports and files.

22 "Criminal justice agencies" are those public agencies within or
23 outside the state which perform, as a principal function, activities
24 directly relating to the apprehension, prosecution, adjudication or
25 rehabilitation of criminal offenders.

26 "Dependency record information" includes and shall be restricted to
27 identifying data regarding a person, over the age of eighteen, who was
28 a party to a dependency proceeding brought under chapter 13.34 RCW and
29 who has been found, pursuant to such dependency proceeding, to have
30 sexually abused or exploited or physically abused a child.

31 "Protection proceeding record information" includes and shall be
32 restricted to identifying data regarding a person, over eighteen, who
33 was a respondent to a protection proceeding brought under chapter 74.34
34 RCW and who has been found pursuant to such a proceeding to have abused
35 or financially exploited a vulnerable adult.

36 The section may refuse to furnish any information pertaining to the
37 identification or history of any person or persons of whom it has a
38 record, or other information in its files and records, to any applicant
39 if the chief determines that the applicant has previously misused

1 information furnished to such applicant by the section or the chief
2 believes that the applicant will not use the information requested
3 solely for the purpose of due administration of the criminal laws or
4 for the purposes enumerated in RCW 43.43.760(3). The applicant may
5 appeal such determination (~~and denial of information to the advisory~~
6 ~~council created in RCW 43.43.785 and the council may direct that the~~
7 ~~section furnish such information to the applicant~~) by notifying the
8 chief in writing within thirty days. The hearing shall be before an
9 administrative law judge appointed under chapter 34.12 RCW and in
10 accordance with procedures for adjudicative proceedings under chapter
11 34.05 RCW.

12 **Sec. 302.** RCW 43.43.785 and 1972 ex.s. c 152 s 18 are each amended
13 to read as follows:

14 The legislature finds that there is a need for the Washington state
15 patrol to establish a program which will consolidate existing programs
16 of criminal justice services within its jurisdiction so that such
17 services may be more effectively utilized by the criminal justice
18 agencies of this state. The chief(~~(, with the advice of the state~~
19 ~~advisory council on criminal justice services created in RCW~~
20 ~~43.43.790,)~~) shall establish such a program which shall include but not
21 be limited to the identification section, all auxiliary systems
22 including the Washington crime information center and the
23 teletypewriter communications network, the drug control assistance
24 unit, and any other services the chief deems necessary which are not
25 directly related to traffic control.

26 **Sec. 303.** RCW 43.43.800 and 1972 ex.s. c 152 s 21 are each amended
27 to read as follows:

28 The (~~advisory council~~) executive committee created in RCW
29 10.98.160 shall review the provisions of RCW 43.43.700 through
30 43.43.785 and the administration thereof and shall consult with and
31 advise the chief of the state patrol on matters pertaining to the
32 policies of criminal justice services program.

33 (~~The council shall appoint technical advisory committees comprised~~
34 ~~of members of criminal justice agencies having demonstrated technical~~
35 ~~expertise in the various fields of specialty within the program.))~~

1 NEW SECTION. **Sec. 801.** Part headings used in this act are not any
2 part of the law.

3 NEW SECTION. **Sec. 802.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 July 1, 1997.

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