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HOUSE BILL 1309

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Edwards, Van Luven, Cody, Skinner, Schual-Berke, O'Brien, Reardon, Mulliken, Dunshee, Pennington, Rockefeller, Eickmeyer, Ruderman, Darneille, Fromhold, Wood, Cooper, Hatfield, Linville, Grant, Keiser, Kenney, McIntire, Campbell, Edmonds and Kagi

Read first time 01/23/2001. Referred to Committee on Health Care.

1 AN ACT Relating to the credentialing of hemodialysis technicians;  
2 amending RCW 18.135.020 and 18.135.060; creating new sections; and  
3 providing an effective date.

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

5 NEW SECTION. **Sec. 1.** There are concerns about the quality of care  
6 dialysis patients are receiving due to the lack of uniform training  
7 standards for hemodialysis clinical personnel working in renal dialysis  
8 facilities in this state. Currently, hemodialysis technicians are  
9 trained by the facilities, and most facilities have established  
10 training programs providing from six to eight weeks of ongoing  
11 training. Training is not standardized and varies among facilities.  
12 Some facilities offer no on-site training. National studies indicate  
13 that renal dialysis facilities avoid costs by reducing staffing levels  
14 and substituting untrained technicians for professional nurses  
15 generally in response to inadequate medicare reimbursements. These  
16 studies also suggest a resulting increase in patient morbidity and  
17 mortality.

18 The legislature finds that the regulation of hemodialysis  
19 technicians will increase the level of professionalism in the state's

1 renal dialysis facilities, providing increased quality assurance for  
2 patients, health care providers, third-party payers, and the public in  
3 general. The legislature declares that this act furthers the public  
4 health, safety, and welfare of the people of the state.

5 **Sec. 2.** RCW 18.135.020 and 1997 c 133 s 1 are each amended to read  
6 as follows:

7 As used in this chapter:

8 (1) "Secretary" means the secretary of health.

9 (2) "Health care assistant" means an unlicensed person who assists  
10 a licensed health care practitioner in providing health care to  
11 patients pursuant to this chapter. However persons trained by a  
12 federally approved end-stage renal disease facility who perform end-  
13 stage renal dialysis in the home setting are exempt from certification  
14 under this chapter.

15 (3) "Health care practitioner" means:

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

17 (b) An osteopathic physician or surgeon licensed under chapter  
18 18.57 RCW; or

19 (c) Acting within the scope of their respective licensure, a  
20 podiatric physician and surgeon licensed under chapter 18.22 RCW, a  
21 registered nurse or advanced registered nurse practitioner licensed  
22 under chapter 18.79 RCW, or a naturopath licensed under chapter 18.36A  
23 RCW.

24 (4) "Supervision" means supervision of procedures permitted  
25 pursuant to this chapter by a health care practitioner who is  
26 physically present and is immediately available in the facility during  
27 the administration of injections, as defined in this chapter, but need  
28 not be present during procedures to withdraw blood.

29 (5) "Health care facility" means any hospital, hospice care center,  
30 licensed or certified health care facility, health maintenance  
31 organization regulated under chapter 48.46 RCW, federally qualified  
32 health maintenance organization, renal dialysis center or facility  
33 federally approved under 42 C.F.R. 405.2100, blood bank federally  
34 licensed under 21 C.F.R. 607, or clinical laboratory certified under 20  
35 C.F.R. 405.1301-16.

36 (6) "Delegation" means direct authorization granted by a licensed  
37 health care practitioner to a health care assistant to perform the  
38 functions authorized in this chapter which fall within the scope of

1 practice of the delegator and which are not within the scope of  
2 practice of the delegatee.

3 **Sec. 3.** RCW 18.135.060 and 2000 c 171 s 30 are each amended to  
4 read as follows:

5 (1) Except as provided in subsection (2) of this section:

6 (a) Any health care assistant certified pursuant to this chapter  
7 shall perform the functions authorized in this chapter only by  
8 delegation of authority from the health care practitioner and under the  
9 supervision of a health care practitioner acting within the scope of  
10 his or her license. In the case of subcutaneous, intradermal and  
11 intramuscular and intravenous injections, a health care assistant may  
12 perform such functions only under the supervision of a health care  
13 practitioner having authority, within the scope of his or her license,  
14 to order such procedures.

15 (b) The health care practitioner who ordered the procedure or a  
16 health care practitioner who could order the procedure under his or her  
17 license shall be physically present in the immediate area of a hospital  
18 or nursing home where the injection is administered. Sensitivity  
19 agents being administered intradermally or by the scratch method are  
20 excluded from this requirement.

21 (2) A health care assistant trained by a federally approved end-  
22 stage renal disease facility may perform venipuncture for blood  
23 withdrawal, administration of oxygen as necessary by cannula or mask,  
24 venipuncture for placement of fistula needles, connect to vascular  
25 catheter for hemodialysis, intravenous administration of heparin and  
26 sodium chloride solutions as an integral part of dialysis treatment,  
27 and intradermal, subcutaneous, or topical administration of local  
28 anesthetics in conjunction with placement of fistula needles, and  
29 intraperitoneal administration of sterile electrolyte solutions and  
30 heparin for peritoneal dialysis: (a) In the center or health care  
31 facility if a registered nurse licensed under chapter 18.79 RCW is  
32 physically present and immediately available in such center or health  
33 care facility; or (b) in the patient's home if a physician and a  
34 registered nurse are available for consultation during the dialysis.

35 NEW SECTION. **Sec. 4.** The secretary of health is authorized to  
36 establish a task force to assist in the development of core  
37 competencies and minimum training standards for mandatory training

1 programs to be utilized by renal dialysis facilities for training  
2 hemodialysis technicians as health care assistants pursuant to this  
3 act. The secretary shall appoint to the task force persons  
4 knowledgeable in renal dialysis practice, including nephrologists,  
5 dialysis nurses, patient care hemodialysis technicians, dialysis  
6 patients, and other individuals with expertise. The secretary may  
7 appoint succeeding advisory task forces for reviewing and updating  
8 future requirements as necessary.

9 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect March 1,  
10 2002.

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