
HOUSE BILL 1369

State of Washington

64th Legislature

2015 Regular Session

By Representatives Riccelli, Schmick, Robinson, Parker, Holy, Haler, Tharinger, Cody, and Ormsby

Read first time 01/19/15. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to enabling student volunteers to provide health
2 care services; amending RCW 18.71.030 and 18.79.240; adding a new
3 section to chapter 18.64 RCW; adding a new section to chapter 18.71
4 RCW; and adding a new section to chapter 18.79 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.64
7 RCW to read as follows:

8 (1) This chapter does not prohibit a student from practicing
9 pharmacy if:

10 (a) The student is enrolled in a college of pharmacy accredited
11 by the commission;

12 (b) The student performs services without compensation or the
13 expectation of compensation;

14 (c) The student is under the supervision and control of a
15 pharmacist licensed under this chapter, a physician licensed under
16 chapter 18.71 RCW, or a registered nurse or advanced registered nurse
17 practitioner licensed under chapter 18.79 RCW; and

18 (d) The services the student performs are within the scope of
19 practice of: (i) A pharmacist licensed under this chapter; and (ii)
20 the person supervising the student.

1 (2) The commission may adopt rules to implement the requirements
2 of this section.

3 **Sec. 2.** RCW 18.71.030 and 1996 c 178 s 4 are each amended to
4 read as follows:

5 Nothing in this chapter shall be construed to apply to or
6 interfere in any way with the practice of religion or any kind of
7 treatment by prayer; nor shall anything in this chapter be construed
8 to prohibit:

9 (1) The furnishing of medical assistance in cases of emergency
10 requiring immediate attention;

11 (2) The domestic administration of family remedies;

12 (3) The administration of oral medication of any nature to
13 students by public school district employees or private elementary or
14 secondary school employees as provided for in chapter 28A.210 RCW;

15 (4) The practice of dentistry, osteopathic medicine and surgery,
16 nursing, chiropractic, podiatric medicine and surgery, optometry,
17 naturopathy, or any other healing art licensed under the methods or
18 means permitted by such license;

19 (5) The practice of medicine in this state by any commissioned
20 medical officer serving in the armed forces of the United States or
21 public health service or any medical officer on duty with the United
22 States veterans administration while such medical officer is engaged
23 in the performance of the duties prescribed for him or her by the
24 laws and regulations of the United States;

25 (6) The practice of medicine by any practitioner licensed by
26 another state or territory in which he or she resides, provided that
27 such practitioner shall not open an office or appoint a place of
28 meeting patients or receiving calls within this state;

29 (7) The practice of medicine by a person who is a regular student
30 in a school of medicine approved and accredited by the commission(~~(~~
31 ~~however~~)) if:

32 (a) The performance of such services ((be)) is only pursuant to a
33 regular course of instruction or assignments from his or her
34 instructor((~~τ~~)); or ((that))

35 (b) Such services are performed only under the supervision and
36 control of a person licensed pursuant to this chapter; or

37 (c)(i) Such services are performed without compensation or
38 expectation of compensation;

1 (ii) The student is under the supervision and control of a
2 pharmacist licensed under chapter 18.64 RCW or a registered nurse or
3 advanced registered nurse practitioner licensed under chapter 18.79
4 RCW; and

5 (iii) The services the student performs are within the scope of
6 practice of: (A) A physician licensed under this chapter; and (B) the
7 person supervising the student;

8 (8) The practice of medicine by a person serving a period of
9 postgraduate medical training in a program of clinical medical
10 training sponsored by a college or university in this state or by a
11 hospital accredited in this state, however, the performance of such
12 services shall be only pursuant to his or her duties as a trainee;

13 (9) The practice of medicine by a person who is regularly
14 enrolled in a physician assistant program approved by the commission,
15 however, the performance of such services shall be only pursuant to a
16 regular course of instruction in said program and such services are
17 performed only under the supervision and control of a person licensed
18 pursuant to this chapter;

19 (10) The practice of medicine by a licensed physician assistant
20 which practice is performed under the supervision and control of a
21 physician licensed pursuant to this chapter;

22 (11) The practice of medicine, in any part of this state which
23 shares a common border with Canada and which is surrounded on three
24 sides by water, by a physician licensed to practice medicine and
25 surgery in Canada or any province or territory thereof;

26 (12) The administration of nondental anesthesia by a dentist who
27 has completed a residency in anesthesiology at a school of medicine
28 approved by the commission, however, a dentist allowed to administer
29 nondental anesthesia shall do so only under authorization of the
30 patient's attending surgeon, obstetrician, or psychiatrist, and the
31 commission has jurisdiction to discipline a dentist practicing under
32 this exemption and enjoin or suspend such dentist from the practice
33 of nondental anesthesia according to this chapter and chapter 18.130
34 RCW;

35 (13) Emergency lifesaving service rendered by a physician's
36 trained emergency medical service intermediate life support
37 technician and paramedic, as defined in RCW 18.71.200, if the
38 emergency lifesaving service is rendered under the responsible
39 supervision and control of a licensed physician;

1 (14) The provision of clean, intermittent bladder catheterization
2 for students by public school district employees or private school
3 employees as provided for in RCW 18.79.290 and 28A.210.280.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.71
5 RCW to read as follows:

6 The commission may adopt rules to implement the requirements of
7 RCW 18.71.030(7).

8 **Sec. 4.** RCW 18.79.240 and 2005 c 28 s 1 are each amended to read
9 as follows:

10 (1) In the context of the definition of registered nursing
11 practice and advanced registered nursing practice, this chapter shall
12 not be construed as:

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

17 (b) Preventing a person from the domestic administration of
18 family remedies or the furnishing of nursing assistance in case of
19 emergency;

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

23 (d) Prohibiting the practice of registered nursing or advanced
24 registered nursing by a student enrolled in an approved school if:

25 (i) The student performs services without compensation or
26 expectation of compensation;

27 (ii) The student is under the supervision and control of a
28 registered nurse or advanced registered nurse practitioner licensed
29 under this chapter, a pharmacist licensed under chapter 18.64 RCW, or
30 a physician licensed under chapter 18.71 RCW; and

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

34 (e) Prohibiting auxiliary services provided by persons carrying
35 out duties necessary for the support of nursing services, including
36 those duties that involve minor nursing services for persons
37 performed in hospitals, nursing homes, or elsewhere under the

1 direction of licensed physicians or the supervision of licensed
2 registered nurses;

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

10 (~~(f)~~) (g) Prohibiting nursing or care of the sick, with or
11 without compensation, when done in connection with the practice of
12 the religious tenets of a church by adherents of the church so long
13 as they do not engage in the practice of nursing as defined in this
14 chapter;

15 (~~(g)~~) (h) Prohibiting the practice of a legally qualified nurse
16 of another state who is employed by the United States government or a
17 bureau, division, or agency thereof, while in the discharge of his or
18 her official duties;

19 (~~(h)~~) (i) Permitting the measurement of the powers or range of
20 human vision, or the determination of the accommodation and
21 refractive state of the human eye or the scope of its functions in
22 general, or the fitting or adaptation of lenses for the aid thereof;

23 (~~(i)~~) (j) Permitting the prescribing or directing the use of,
24 or using, an optical device in connection with ocular exercises,
25 visual training, vision training, or orthoptics;

26 (~~(j)~~) (k) Permitting the prescribing of contact lenses for, or
27 the fitting and adaptation of contact lenses to, the human eye;

28 (~~(k)~~) (l) Prohibiting the performance of routine visual
29 screening;

30 (~~(l)~~) (m) Permitting the practice of dentistry or dental
31 hygiene as defined in chapters 18.32 and 18.29 RCW, respectively;

32 (~~(m)~~) (n) Permitting the practice of chiropractic as defined in
33 chapter 18.25 RCW including the adjustment or manipulation of the
34 articulation of the spine;

35 (~~(n)~~) (o) Permitting the practice of podiatric medicine and
36 surgery as defined in chapter 18.22 RCW;

37 (~~(o)~~) (p) Permitting the performance of major surgery, except
38 such minor surgery as the commission may have specifically authorized
39 by rule adopted in accordance with chapter 34.05 RCW;

1 ~~((p))~~ (q) Permitting the prescribing of controlled substances
2 as defined in Schedule I of the Uniform Controlled Substances Act,
3 chapter 69.50 RCW;

4 ~~((q))~~ (r) Prohibiting the determination and pronouncement of
5 death;

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

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

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

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

5 (b) Preventing a person from the domestic administration of
6 family remedies or the furnishing of nursing assistance in case of
7 emergency;

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

11 (d) Prohibiting auxiliary services provided by persons carrying
12 out duties necessary for the support of nursing services, including
13 those duties that involve minor nursing services for persons
14 performed in hospitals, nursing homes, or elsewhere under the
15 direction of licensed physicians or the supervision of licensed
16 registered nurses;

17 (e) Prohibiting or preventing the practice of nursing in this
18 state by a legally qualified nurse of another state or territory
19 whose engagement requires him or her to accompany and care for a
20 patient temporarily residing in this state during the period of one
21 such engagement, not to exceed six months in length, if the person
22 does not represent or hold himself or herself out as a licensed
23 practical nurse licensed to practice in this state;

24 (f) Prohibiting nursing or care of the sick, with or without
25 compensation, when done in connection with the practice of the
26 religious tenets of a church by adherents of the church so long as
27 they do not engage in licensed practical nurse practice as defined in
28 this chapter;

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

33 NEW SECTION. **Sec. 5.** A new section is added to chapter 18.79
34 RCW to read as follows:

35 The commission may adopt rules to implement the requirements of
36 RCW 18.79.240(1)(d).

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