

SENATE BILL REPORT

SB 5796

**AS REPORTED BY COMMITTEE ON HEALTH & LONG-TERM CARE,
MARCH 6, 1991**

Brief Description: Making major changes to nursing assistant licensure.

SPONSORS: Senator Niemi.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5796 be substituted therefor, and the substitute bill do pass.

Signed by Senators West, Chairman; L. Smith, Vice Chairman; Amondson, Johnson, L. Kreidler, Niemi, and Wojahn.

Staff: Scott Plack (786-7409)

Hearing Dates: March 6, 1991

BACKGROUND:

The regulation of nursing assistants is codified in three separate chapters of law (Chapters 18.52A, 18.52B and 18.88A RCW). Chapter 18.52A RCW provides for the qualifications and training requirements of nursing assistants working in the state's nursing homes or rural hospital wings operating nursing home swing beds. Chapter 18.52B RCW provides for certification of nursing assistants. Chapter 18.88A RCW establishes a certification and registration program for nursing assistants working in a health care facility. This directs the state Board of Nursing with determining minimum educational requirements, defining and approving experience requirements, and other activities associated with certification of nursing assistants. The three separate acts have caused confusion in the regulation of this profession.

SUMMARY:

Chapters 18.52A and 18.52B are each repealed. The two level of nursing assistants (certified and registered) are maintained. The state Board of Nursing is directed to determine minimum educational requirements, approve training programs, administer the certification examination, define experience requirements and implement the continued competency evaluation program. The Secretary of Health administers the act and is the disciplinary authority.

Certification is voluntary for nursing assistants working in health care facilities unless otherwise required by state or federal requirements. The state Board of Nursing is required to promulgate rules regarding the scope of practice of nursing assistants. Exemptions from regulation are included for those

regulated under other practice acts, employees of the federal government and students.

Specific provisions are deleted requiring that the Uniform Disciplinary Act (Chapter 18.130 RCW) govern unregistered or uncertified practice, the issuance of certificates and the discipline of persons registered or certified under the chapter. The state Board of Nursing may delegate responsibilities under this chapter. Credentialing by endorsement is authorized. The Secretary of Health is required to establish procedural requirements and fees for renewal of registrations and certifications. A person who allows their certification to lapse for more than three years shall demonstrate competence to the satisfaction of the board.

EFFECT OF PROPOSED SUBSTITUTE:

The state Board of Nursing is granted general authority to implement the provisions of the Nursing Assistant Practice Act. Language is restored which ties the practice act to the Uniform Disciplinary Act (Chapter 18.130 RCW).

Appropriation: none

Revenue: none

Fiscal Note: requested February 22, 1991

TESTIMONY FOR:

The nursing assistant profession is currently governed by three separate statutes which have caused confusion. The bill corrects this by combining them into one statute. It also extends the date of the grandfather clause for nursing assistants to be certified. This will allow the department enough time to inform as part of the annual registration renewal process that registered nursing assistants might qualify for this provision.

TESTIMONY AGAINST: None

TESTIFIED: Gail McGaffick, Home Care Association of Washington (pro); Marianne Lile, Washington State Nurses Association (pro); Ray Harry, Nursing Assistant Advisory Committee (pro); Carrie Bashan, Washington Health Care Association (pro)