

HOUSE BILL REPORT

SSB 5445

As Passed House-Amended:

April 11, 1997

Title: An act relating to making technical corrections to statutes administered by the department of health.

Brief Description: Making technical corrections to statutes administered by the department of health.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Deccio, Wojahn, Wood, Fairley and Winsley).

Brief History:

Committee Activity:

Health Care: 3/28/97 [DPA].

Floor Activity:

Passed House-Amended: 4/11/97, 96-0.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended. Signed by 10 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Parlette; Sherstad; Wood and Zellinsky.

Staff: John Welsh (786-7133).

Background: Occasionally the Legislature amends the same section of a statute in two different bills during a legislative session. When this occurs, the code reviser attempts to combine the two sets of amendments into a single section. Sometimes the code reviser is unable to combine the amendments and the two different versions of the same section are placed side by side in the code. This makes the law difficult to understand and causes confusion for people who must follow it.

In 1995, through passage of two separate bills, a section of law granting protection of emergency medical service providers from liability was amended differently. In 1996, similar double amendments were made to several sections of law pertaining to regulation of speech language pathologists, audiologists and hearing instrument fitter/dispensers.

In addition, in 1994 when legislation was enacted combining licensing and discipline of nursing assistants, nurses, and licensed practical nurses under a single Nursing Quality Assurance Commission, an incorrect reference to the law regulating nursing assistants was made in the Uniform Disciplinary Act.

The 1997 reporting and completion date for a study to be done by the University of Washington needs to be deferred until 1998 due to the delayed implementation of the Nurse Delegation Law.

A nurse may not refuse to delegate nursing tasks to nursing assistants except for patients' safety issues. However, nursing assistants may refuse to perform these delegated nursing tasks for any reason.

Summary of Bill: Technical changes are made to professional credentialing programs administered by the Department of Health.

Double amendments enacted in 1995 are combined into one section in the law providing immunity from liability for emergency medical service personnel.

Double amendments enacted in 1996 are combined in three sections of law dealing with speech language pathologists, audiologists and hearing instrument fitters/dispensers. The duration of a permit is changed from two years to one year.

A reference in the law regulating nurses and nursing assistants is corrected.

The reporting date for completion of a study done by the University of Washington on the impacts of nurse delegation is moved from 1997 to 1998.

A nursing assistant may not refuse to perform delegated nursing tasks except for patients' safety issues, conforming to similar language relating to registered nurses.

Advanced registered nurse practitioners are included among the health practitioners who physical therapists may consult in the performance of treatments on the basis of test findings.

Members appointed to any part-time commission that has rule-making authority, performs quasi-judicial functions, with responsibility for policy direction of a health profession credentialing program performing regulatory and licensing functions with respect to a health profession licensed under Title 18 RCW is a class five group for purposes of compensation, and may be compensated up to \$250 per day.

The Department of Social and Health Services may not impose a civil fine, until July 1, 1999, on a community residential program, adult family home, or boarding home

which knowingly permits an employee to perform nursing tasks except as delegated pursuant to law.

The Department of Health is directed to study the feasibility of updating and expanding the "Comprehensive Hospital Abstract Reporting System" to include out-patient data and to report to the Legislature by December 31, 1998.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Technical corrections to the law are necessary for the implementation of several professional programs administered by the Department of Health.

Testimony Against: None.

Testified: Senator Deccio, prime sponsor (pro); and Steve Boruchowitz, Department of Health (pro).