
SECOND SUBSTITUTE SENATE BILL 5582

State of Washington

68th Legislature

2023 Regular Session

By Senate Ways & Means (originally sponsored by Senators Holy, Randall, Rivers, Robinson, Dozier, King, Conway, Shewmake, Padden, Lovick, Gildon, Muzzall, Lovelett, Mullet, Nobles, Saldaña, Valdez, Van De Wege, Wellman, C. Wilson, and L. Wilson)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to reducing barriers and expanding educational
2 opportunities to increase the supply of nurses in Washington;
3 amending RCW 18.79.150 and 18.79.110; adding a new section to chapter
4 28B.50 RCW; adding a new section to chapter 28C.18 RCW; adding new
5 sections to chapter 18.79 RCW; adding a new section to chapter
6 28A.700 RCW; creating new sections; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that nurses are
9 essential to the operation of the state's health care system.
10 Further, the legislature finds that the gap between demand for nurses
11 and an available workforce continues to widen. Nursing professions
12 continue to rank among the highest demand occupations in the state
13 with the number of unfilled openings ranking near the top of all
14 professional categories each month. The legislature finds that the
15 need for nurses is particularly acute in rural hospital and clinical
16 settings as well as long-term care facilities. Further, the
17 legislature finds that there is a need to expand nursing credential
18 opportunities through the expansion of existing postsecondary
19 programs, the provision of adequate compensation for nurse educators,
20 the creation of new and innovative approaches to health care
21 credentials, the creation and expansion of proven pathways to health

1 care careers within the K-12 system, and the streamlining of
2 administrative requirements in the approval of new, high quality
3 nursing education opportunities.

4 **I. EXPAND NURSING CREDENTIAL OPPORTUNITIES**

5 NEW SECTION. **Sec. 2.** (1) Subject to the availability of amounts
6 appropriated for this specific purpose, the community and technical
7 colleges shall develop a plan to train more nurses over the next four
8 years. The state board shall consult with health care employers and
9 exclusive bargaining representatives of nursing professions in
10 development of the plan. The plan must place particular emphasis on
11 training health professionals in key shortage areas, including rural
12 communities. In designing a plan, the state board must prioritize
13 expanding existing programs or creating new ones which:

14 (a) Create new capacity to train licensed practical nurses and
15 registered nurses through apprenticeship programs, certificate
16 programs, associates degrees in nursing, and baccalaureate degrees in
17 nursing;

18 (b) Expand training opportunities for rural and underserved
19 students;

20 (c) Demonstrate or are expected to demonstrate long-term
21 sustainability; and

22 (d) Expand partnerships between employers and exclusive
23 bargaining representatives through joint workforce development
24 initiatives including apprenticeships.

25 (2) The state board for community and technical colleges shall
26 submit a report, in accordance with RCW 43.01.036, to the appropriate
27 committees of the legislature by December 1, 2024, with the details
28 of the plan to increase capacity in nursing education programs.

29 (3) This section expires August 1, 2025.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50
31 RCW to read as follows:

32 Subject to the availability of amounts appropriated for this
33 specific purpose, the community and technical colleges shall design
34 and implement an online curriculum and pathway to earn a licensed
35 practical nursing credential. The college board shall select two
36 colleges, one on either side of the crest of the Cascade mountains,
37 to design and implement the online curriculum. The curriculum may

1 include use of a mobile skills lab or other innovative approaches to
2 ensure access to training opportunities for rural students.

3 NEW SECTION. **Sec. 4.** (1) The home care aide to licensed
4 practical nurse apprenticeship pathway pilot program is created. The
5 workforce training and education coordinating board and the nursing
6 care quality assurance commission shall jointly administer the pilot
7 program in consultation with the department of labor and industries.
8 The pilot program must be located in three geographically disparate
9 sites during the 2023-2025 fiscal biennium. The workforce training
10 and education coordinating board, along with the nursing care quality
11 assurance commission, and the department of labor and industries
12 shall submit a report, in accordance with RCW 43.01.036, to the
13 appropriate committees of the legislature by August 1, 2025, of the
14 status of the pilot program and policy options to scale up the
15 licensed practical nurse apprenticeship pathway pilot program
16 statewide. The report must examine any barriers faced by current and
17 prospective participants in the pilot program including, but not
18 limited to, the academic preparation needs of home care aides
19 selected for participation in the pilot program and the availability
20 of enrollment spots in nursing educational programs for qualified
21 applicants.

22 (2) This section expires August 1, 2025.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 28C.18
24 RCW to read as follows:

25 Subject to the availability of amounts appropriated for this
26 specific purpose, the workforce training and education coordinating
27 board shall contract with a firm that has expertise in public
28 relations and marketing to develop and execute a marketing plan about
29 available training opportunities and jobs for certified nursing
30 assistants, personal care aides, licensed practical nurses, licensed
31 vocational nurses, and related nursing professions. The marketing
32 plan must include targeted outreach to serve workforce needs in rural
33 and underserved communities as well as long-term care facilities.
34 Marketing materials containing information about educational and
35 training opportunities should include both postsecondary degree and
36 credential opportunities as well as apprenticeships and training
37 opportunities provided as partnerships between employers and
38 exclusive bargaining representatives.

1 NEW SECTION. **Sec. 6.** (1) The office of financial management
2 shall contract with a firm that has expertise in human resources
3 consulting and health care to conduct a salary survey on nurse
4 educator compensation. The salary survey must benchmark both the 50th
5 and 75th percentile of compensation for similarly credentialed nurse
6 educators in the state. The office of financial management must
7 report the results of the salary survey, in accordance with RCW
8 43.01.036, to the appropriate committees of the legislature by
9 December 1, 2024.

10 (2) This section expires August 1, 2025.

11 **II. ELIMINATE BOTTLENECKS IN NURSE TRAINING**

12 **Sec. 7.** RCW 18.79.150 and 1994 sp.s. c 9 s 415 are each amended
13 to read as follows:

14 An institution desiring to conduct a school of registered nursing
15 or a school or program of practical nursing, or both, shall apply to
16 the commission and submit evidence satisfactory to the commission
17 that:

18 (1) It is prepared to carry out the curriculum approved by the
19 commission for basic registered nursing or practical nursing, or
20 both; and

21 (2) It is prepared to meet other standards established by law and
22 by the commission.

23 The commission shall make, or cause to be made, such surveys of
24 the schools and programs, and of institutions and agencies to be used
25 by the schools and programs, as it determines are necessary. If in
26 the opinion of the commission, the requirements for an approved
27 school of registered nursing or a school or program of practical
28 nursing, or both, are met, the commission shall approve the school or
29 program. The nursing commission may grant approval to baccalaureate
30 nursing education programs where the nurse administrator holds a
31 graduate degree with a major in nursing and has sufficient experience
32 as a registered nurse but does not hold a doctoral degree.

33 **Sec. 8.** RCW 18.79.110 and 2013 c 229 s 1 are each amended to
34 read as follows:

35 (1) The commission shall keep a record of all of its proceedings
36 and make such reports to the governor as may be required. The
37 commission shall define by rules what constitutes specialized and

1 advanced levels of nursing practice as recognized by the medical and
2 nursing profession. The commission may adopt rules or issue advisory
3 opinions in response to questions put to it by professional health
4 associations, nursing practitioners, and consumers in this state
5 concerning the authority of various categories of nursing
6 practitioners to perform particular acts.

7 (2) The commission shall approve curricula and shall establish
8 criteria for minimum standards for schools preparing persons for
9 licensing as registered nurses, advanced registered nurse
10 practitioners, and licensed practical nurses under this chapter. The
11 commission shall approve such schools of nursing as meet the
12 requirements of this chapter and the commission, and the commission
13 shall approve establishment of basic nursing education programs and
14 shall establish criteria as to the need for and the size of a program
15 and the type of program and the geographical location. The commission
16 shall establish criteria for proof of reasonable currency of
17 knowledge and skill as a basis for safe practice after three years'
18 inactive or lapsed status. The commission shall establish criteria
19 for licensing by endorsement. The commission shall determine
20 examination requirements for applicants for licensing as registered
21 nurses, advanced registered nurse practitioners, and licensed
22 practical nurses under this chapter, and shall certify to the
23 secretary for licensing duly qualified applicants. The commission
24 shall adopt rules which allow for one hour of simulated learning to
25 be counted as equivalent to two hours of clinical placement learning,
26 with simulated learning accounting for up to a maximum of 50 percent
27 of the required clinical hours.

28 (3) The commission shall adopt rules on continuing competency.
29 The rules must include exemptions from the continuing competency
30 requirements for registered nurses seeking advanced nursing degrees.
31 Nothing in this subsection prohibits the commission from providing
32 additional exemptions for any person credentialed under this chapter
33 who is enrolled in an advanced education program.

34 (4) The commission shall adopt such rules under chapter 34.05 RCW
35 as are necessary to fulfill the purposes of this chapter.

36 (5) The commission is the successor in interest of the board of
37 nursing and the board of practical nursing. All contracts,
38 undertakings, agreements, rules, regulations, decisions, orders, and
39 policies of the former board of nursing or the board of practical
40 nursing continue in full force and effect under the commission until

1 the commission amends or rescinds those rules, regulations,
2 decisions, orders, or policies.

3 (6) The members of the commission are immune from suit in an
4 action, civil or criminal, based on its disciplinary proceedings or
5 other official acts performed in good faith as members of the
6 commission.

7 (7) Whenever the workload of the commission requires, the
8 commission may request that the secretary appoint pro tempore members
9 of the commission. When serving, pro tempore members of the
10 commission have all of the powers, duties, and immunities, and are
11 entitled to all of the emoluments, including travel expenses, of
12 regularly appointed members of the commission.

13 NEW SECTION. **Sec. 9.** A new section is added to chapter 18.79
14 RCW to read as follows:

15 (1) Subject to the availability of amounts appropriated for this
16 specific purpose, the legislature intends to expand the student nurse
17 preceptor grant program to help reduce the shortage of health care
18 training settings for students and increase the numbers of nurses in
19 the workforce.

20 (2)(a) The grant program shall provide incentive pay for
21 individuals serving as clinical supervisors to nursing candidates
22 with a focus on acute shortage areas including those in rural and
23 underserved communities and long-term care facilities. The desired
24 outcomes of the grant program include increased clinical
25 opportunities for nursing students. In part, increased clinical
26 opportunities shall be achieved through reducing the required number
27 of qualifying hours of precepting clinical instruction per student
28 from 100 to 80. The commission shall consult with collective
29 bargaining representatives of nurses who serve as clinical
30 supervisors in the development of the grant program.

31 (b) The commission shall submit a report, in accordance with RCW
32 43.01.036, to the office of financial management and the appropriate
33 committees of the legislature by September 30, 2025, on the outcomes
34 of the grant program. The report must include:

35 (i) A description of the mechanism for incentivizing supervisor
36 pay and other strategies;

37 (ii) The number of supervisors that received bonus pay and the
38 number of sites used;

- 1 (iii) The number of students that received supervision at each
2 site;
- 3 (iv) The number of supervision hours provided at each site;
- 4 (v) Initial reporting on the number of students who received
5 supervision through the programs that moved into a permanent position
6 with the program at the end of their supervision; and
- 7 (vi) Recommendations to scale up the program or otherwise recruit
8 nurse preceptors in shortage areas.

9 **III. GROW K-12 PATHWAYS INTO HEALTH CARE CREDENTIALS**

10 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.700
11 RCW to read as follows:

12 (1) Subject to the availability of amounts appropriated for this
13 specific purpose, the office of the superintendent of public
14 instruction shall establish and administer a grant program for the
15 purpose of supporting high school career and technical education
16 programs in starting or expanding offerings in health science
17 programs.

18 (2) Grants must be awarded through a competitive grant process
19 administered by the office of the superintendent of public
20 instruction. In developing award criteria, the office of the
21 superintendent of public instruction must consult with the workforce
22 training and education coordinating board and the Washington state
23 apprenticeship and training council.

24 (3) Grant funds may be allocated on a one-time or ongoing basis
25 dependent on the needs of the program and may be used to purchase or
26 improve curriculum, add additional staff, upgrade technology and
27 equipment to meet industry standards, and for other purposes intended
28 to initiate a new health science program or improve the rigor and
29 quality of an existing health science program. Priority must be given
30 to grant applications that include partnerships between employers and
31 exclusive bargaining representatives as sponsors or cosponsors.

32 (4) Programs receiving funds under this section must meet the
33 minimum criteria for preparatory secondary career and technical
34 education programs under RCW 28A.700.030.

35 NEW SECTION. **Sec. 11.** A new section is added to chapter 18.79
36 RCW to read as follows:

1 (1) Subject to the availability of amounts appropriated for this
2 specific purpose, the commission, in collaboration with rural
3 hospitals, relevant employer and exclusive bargaining unit
4 partnerships, nursing assistant-certified training programs, the
5 department of health, and the department of labor and industries,
6 shall establish at least two pilot projects for rural hospitals to
7 utilize high school students who are training to become nursing
8 assistant-certified or high school students who are nursing
9 assistant-certified to help address the workforce shortages and
10 promote nursing careers in rural hospitals. As part of the program,
11 students must receive information about related careers and
12 educational and training opportunities including certified medical
13 assistants, licensed practical nurses, and registered nurses.

14 (2) At least one of the rural hospitals participating in the
15 pilot projects must be east of the crest of the Cascade mountains and
16 at least one of the rural hospitals participating in the pilot
17 projects must be west of the crest of the Cascade mountains.

18 (3) The pilot projects shall prioritize using the nursing
19 assistant-certified high school students to their full scope of
20 practice and identify any barriers to doing this.

21 (4) The commission may contract with an employer and exclusive
22 bargaining unit partnership, nursing consultant, and health services
23 consultant to assist with establishing and supporting the pilot
24 project, including identifying participants, coordinating with the
25 groups and agencies as referenced in subsection (1) of this section
26 and other stakeholders, and preparing reports to the legislature.

27 (5) The commission shall submit a report, in accordance with RCW
28 43.01.036, to the health care committees of the legislature by
29 December 1, 2024, and December 1, 2025, with the status of the pilot
30 projects and any findings and recommendations.

31 (6) This section expires July 1, 2026.

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