

SENATE BILL REPORT

SSB 5796

AS PASSED SENATE, MARCH 18, 1991

Brief Description: Making major changes to nursing assistant licensure.

SPONSORS: Senate Committee on Health & Long-Term Care (originally sponsored by 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 to determine minimum educational requirements, define and approve experience requirements, and other activities associated with certification of nursing assistants. The three separate acts have caused confusion in the regulation of this profession.

In 1989 the Legislature authorized until January 1, 1990 a "grandfather" provision so that the Board of Nursing could certify a person to practice as a nursing assistant if the person met commonly accepted standards of education and experience as a nursing assistant. However, many registered nursing assistants were not notified of the law permitting them to upgrade their credentialing to certification.

SUMMARY:

Chapters 18.52A and 18.52B are each repealed. The two levels 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 has general authority to administer the regulatory 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.

The "grandfather" date allowing nursing assistants to become certified is extended from January 1, 1990 to December 31, 1991. 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.

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)