
SUBSTITUTE SENATE BILL 5805

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Prentice, Deccio, Kohl-Welles and Costa)

Read first time 03/03/1999.

1 AN ACT Relating to completion of prescriptive authority for
2 advanced registered nurse practitioners; amending RCW 18.79.050,
3 18.79.240, and 18.79.250; adding new sections to chapter 18.79 RCW;
4 adding a new section to chapter 18.71 RCW; adding a new section to
5 chapter 18.57 RCW; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.79 RCW
8 to read as follows:

9 The dispensing of Schedules II through IV controlled substances
10 subject to RCW 18.79.240(1)(s) is limited to a maximum of a seventy-
11 two-hour supply of the prescribed controlled substance.

12 **Sec. 2.** RCW 18.79.050 and 1994 sp.s. c 9 s 405 are each amended to
13 read as follows:

14 "Advanced registered nursing practice" means the performance of the
15 acts of a registered nurse and the performance of an expanded role in
16 providing health care services as recognized by the medical and nursing
17 professions, the scope of which is defined by rule by the commission.
18 Upon approval by the commission, an advanced registered nurse

1 practitioner may prescribe legend drugs and controlled substances
2 contained in Schedule V of the Uniform Controlled Substances Act,
3 chapter 69.50 RCW, and Schedules II through IV subject to RCW
4 18.79.240(1) (r) or (s).

5 Nothing in this section prohibits a person from practicing a
6 profession for which a license has been issued under the laws of this
7 state or specifically authorized by any other law of the state of
8 Washington.

9 This section does not prohibit (1) the nursing care of the sick,
10 without compensation, by an unlicensed person who does not hold himself
11 or herself out to be an advanced registered nurse practitioner, or (2)
12 the practice of registered nursing by a licensed registered nurse or
13 the practice of licensed practical nursing by a licensed practical
14 nurse.

15 **Sec. 3.** RCW 18.79.240 and 1994 sp.s. c 9 s 424 are each amended to
16 read as follows:

17 (1) In the context of the definition of registered nursing practice
18 and advanced registered nursing practice, this chapter shall not be
19 construed as:

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

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

25 (c) Prohibiting the practice of nursing by students enrolled in
26 approved schools as may be incidental to their course of study or
27 prohibiting the students from working as nursing aides;

28 (d) Prohibiting auxiliary services provided by persons carrying out
29 duties necessary for the support of nursing services, including those
30 duties that involve minor nursing services for persons performed in
31 hospitals, nursing homes, or elsewhere under the direction of licensed
32 physicians or the supervision of licensed registered nurses;

33 (e) Prohibiting the practice of nursing in this state by a legally
34 qualified nurse of another state or territory whose engagement requires
35 him or her to accompany and care for a patient temporarily residing in
36 this state during the period of one such engagement, not to exceed six
37 months in length, if the person does not represent or hold himself or
38 herself out as a registered nurse licensed to practice in this state;

1 (f) Prohibiting nursing or care of the sick, with or without
2 compensation, when done in connection with the practice of the
3 religious tenets of a church by adherents of the church so long as they
4 do not engage in the practice of nursing as defined in this chapter;

5 (g) Prohibiting the practice of a legally qualified nurse of
6 another state who is employed by the United States government or a
7 bureau, division, or agency thereof, while in the discharge of his or
8 her official duties;

9 (h) Permitting the measurement of the powers or range of human
10 vision, or the determination of the accommodation and refractive state
11 of the human eye or the scope of its functions in general, or the
12 fitting or adaptation of lenses for the aid thereof;

13 (i) Permitting the prescribing or directing the use of, or using,
14 an optical device in connection with ocular exercises, visual training,
15 vision training, or orthoptics;

16 (j) Permitting the prescribing of contact lenses for, or the
17 fitting and adaptation of contact lenses to, the human eye;

18 (k) Prohibiting the performance of routine visual screening;

19 (l) Permitting the practice of dentistry or dental hygiene as
20 defined in chapters 18.32 and 18.29 RCW, respectively;

21 (m) Permitting the practice of chiropractic as defined in chapter
22 18.25 RCW including the adjustment or manipulation of the articulation
23 of the spine;

24 (n) Permitting the practice of podiatric medicine and surgery as
25 defined in chapter 18.22 RCW;

26 (o) Permitting the performance of major surgery, except such minor
27 surgery as the commission may have specifically authorized by rule
28 adopted in accordance with chapter 34.05 RCW;

29 (p) Permitting the prescribing of controlled substances as defined
30 in Schedules I through IV of the Uniform Controlled Substances Act,
31 chapter 69.50 RCW, except as provided in (r) or (s) of this subsection;

32 (q) Prohibiting the determination and pronouncement of death;

33 (r) Prohibiting advanced registered nurse practitioners, approved
34 by the commission as certified registered nurse anesthetists from
35 selecting, ordering, or administering controlled substances as defined
36 in Schedules II through IV of the Uniform Controlled Substances Act,
37 chapter 69.50 RCW, consistent with their commission-recognized scope of
38 practice; subject to facility-specific protocols, and subject to a
39 request for certified registered nurse anesthetist anesthesia services

1 issued by a physician licensed under chapter 18.71 RCW, an osteopathic
2 physician and surgeon licensed under chapter 18.57 RCW, a dentist
3 licensed under chapter 18.32 RCW, or a podiatric physician and surgeon
4 licensed under chapter 18.22 RCW; the authority to select, order, or
5 administer Schedule II through IV controlled substances being limited
6 to those drugs that are to be directly administered to patients who
7 require anesthesia for diagnostic, operative, obstetrical, or
8 therapeutic procedures in a hospital, clinic, ambulatory surgical
9 facility, or the office of a practitioner licensed under chapter 18.71,
10 18.22, 18.36, 18.36A, 18.57, 18.57A, or 18.32 RCW; "select" meaning the
11 decision-making process of choosing a drug, dosage, route, and time of
12 administration; and "order" meaning the process of directing licensed
13 individuals pursuant to their statutory authority to directly
14 administer a drug or to dispense, deliver, or distribute a drug for the
15 purpose of direct administration to a patient, under instructions of
16 the certified registered nurse anesthetist. "Protocol" means a
17 statement regarding practice and documentation concerning such items as
18 categories of patients, categories of medications, or categories of
19 procedures rather than detailed case-specific formulas for the practice
20 of nurse anesthesia;

21 (s) Prohibiting advanced registered nurse practitioners from
22 ordering or prescribing controlled substances as defined in Schedules
23 II through IV of the Uniform Controlled Substances Act, chapter 69.50
24 RCW, if and to the extent: (i) Doing so is permitted by their scope of
25 practice; (ii) it is in response to a combined request from one or more
26 physicians licensed under chapter 18.71 or 18.57 RCW and an advanced
27 registered nurse practitioner licensed under this chapter, proposing a
28 joint practice arrangement under which such prescriptive authority will
29 be exercised with appropriate collaboration between the practitioners;
30 and (iii) it is consistent with rules adopted under this subsection.
31 The medical quality assurance commission, the board of osteopathic
32 medicine and surgery, and the commission are directed to jointly adopt
33 by consensus by rule a process and criteria that implements the joint
34 practice arrangements authorized under this subsection. This
35 subsection (1)(s) does not apply to certified registered nurse
36 anesthetists.

37 (2) In the context of the definition of licensed practical nursing
38 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 they
3 do not practice practical nursing within the meaning of this chapter;

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

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

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

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

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

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

30 **Sec. 4.** RCW 18.79.250 and 1994 sp.s. c 9 s 425 are each amended to
31 read as follows:

32 An advanced registered nurse practitioner under his or her license
33 may perform for compensation nursing care, as that term is usually
34 understood, of the ill, injured, or infirm, and in the course thereof,
35 she or he may do the following things that shall not be done by a
36 person not so licensed, except as provided in RCW 18.79.260 and
37 18.79.270:

1 (1) Perform specialized and advanced levels of nursing as
2 recognized jointly by the medical and nursing professions, as defined
3 by the commission;

4 (2) Prescribe legend drugs and Schedule V controlled substances, as
5 defined in the Uniform Controlled Substances Act, chapter 69.50 RCW,
6 and Schedules II through IV subject to RCW 18.79.240(1) (r) or (s)
7 within the scope of practice defined by the commission;

8 (3) Perform all acts provided in RCW 18.79.260;

9 (4) Hold herself or himself out to the public or designate herself
10 or himself as an advanced registered nurse practitioner or as a nurse
11 practitioner.

12 NEW SECTION. Sec. 5. A new section is added to chapter 18.71 RCW
13 to read as follows:

14 The commission is directed to jointly adopt by consensus, with the
15 board of osteopathic medicine and surgery and the Washington state
16 nursing care quality assurance commission, a process and criteria that
17 implements the joint practice arrangements authorized under RCW
18 18.79.240(1)(s).

19 NEW SECTION. Sec. 6. A new section is added to chapter 18.57 RCW
20 to read as follows:

21 The board is directed to jointly adopt by consensus, with the
22 medical quality assurance commission and the Washington state nursing
23 care quality assurance commission, a process and criteria that
24 implements the joint practice arrangements authorized under RCW
25 18.79.240(1)(s).

26 NEW SECTION. Sec. 7. A new section is added to chapter 18.79 RCW
27 to read as follows:

28 The commission is directed to jointly adopt by consensus, with the
29 medical quality assurance commission and the board of osteopathic
30 medicine and surgery, a process and criteria that implements the joint
31 practice arrangements authorized under RCW 18.79.240(1)(s).

32 NEW SECTION. Sec. 8. Sections 1 through 3 of this act take effect
33 July 1, 2000.

1 NEW SECTION. **Sec. 9.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

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