
SENATE BILL 5805

State of Washington

56th Legislature

1999 Regular Session

By Senators Thibaudeau, Prentice, Deccio, Kohl-Welles and Costa

Read first time 02/10/1999. Referred to Committee on Health & Long-Term Care.

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 a new section to chapter 18.79 RCW;
4 and creating new sections.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that advanced
7 registered nurse practitioners have a vital role in the delivery of
8 health care in Washington state. Nurse practitioners practice
9 independently within their specialty in a variety of health care
10 settings and currently are authorized to prescribe legend drugs and
11 Schedule V controlled substances. Allowing nurse practitioners to
12 practice without restrictions on their prescribing authority will
13 benefit Washington residents by improving timely access to care and
14 decreasing health care costs by avoiding unnecessary duplication of
15 services. In addition, it will place direct responsibility and
16 liability in the hands of persons making medication decisions, nurse
17 practitioners.

1 NEW SECTION. **Sec. 2.** The Washington state nursing care quality
2 assurance commission shall create a temporary advisory committee to
3 assist the commission in monitoring the implementation of this act.
4 Membership on the advisory committee includes three advanced registered
5 nurse practitioners licensed under chapter 18.79 RCW, with five years'
6 active clinical experience, with prescriptive authority, to be selected
7 by the Washington state nursing care quality assurance commission; one
8 physician licensed under chapter 18.71 RCW, who shall also be a member
9 of the Washington state medical quality assurance commission; a
10 pharmacist licensed under chapter 18.64 RCW, who shall also be a member
11 of the state board of pharmacy; and the executive directors for their
12 respective commissions and boards who shall sit ex officio.

13 The advisory committee shall monitor the implementation of this act
14 to include disciplinary trends, prescribing patterns, or any other
15 reasonably related issues, and will meet at intervals as determined
16 necessary by the Washington state nursing care quality assurance
17 commission.

18 The Washington state nursing care quality assurance commission
19 shall prepare a report to the legislature, due January 1, 2001, on the
20 implementation of this act. Upon completion of the report, the
21 advisory committee is terminated.

22 Each committee member shall be compensated in accordance with RCW
23 43.03.240 and shall be paid travel expenses when away from home as
24 provided in RCW 43.03.050 and 43.03.060.

25 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.79 RCW
26 to read as follows:

27 The dispensing of Schedules II through IV controlled substances of
28 the uniform controlled substances act, chapter 69.50 RCW, is limited to
29 a maximum of a seventy-two-hour supply of the prescribed controlled
30 substance.

31 **Sec. 4.** RCW 18.79.050 and 1994 sp.s. c 9 s 405 are each amended to
32 read as follows:

33 "Advanced registered nursing practice" means the performance of the
34 acts of a registered nurse and the performance of an expanded role in
35 providing health care services as recognized by the medical and nursing
36 professions, the scope of which is defined by rule by the commission.
37 Upon approval by the commission, an advanced registered nurse

1 practitioner may prescribe legend drugs and controlled substances
2 contained in Schedules II through V of the Uniform Controlled
3 Substances Act, chapter 69.50 RCW.

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

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

14 **Sec. 5.** RCW 18.79.240 and 1994 sp.s. c 9 s 424 are each amended to
15 read as follows:

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

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

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

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

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

32 (e) Prohibiting the practice of nursing in this state by a legally
33 qualified nurse of another state or territory whose engagement requires
34 him or her to accompany and care for a patient temporarily residing in
35 this state during the period of one such engagement, not to exceed six
36 months in length, if the person does not represent or hold himself or
37 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 Schedule(~~(s)~~) I (~~(through IV)~~) of the Uniform Controlled Substances
31 Act, chapter 69.50 RCW(~~(, except as provided in (r) of this~~
32 ~~subsection)~~);

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

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

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

22 (2) In the context of the definition of licensed practical nursing
23 practice, this chapter shall not be construed as:

24 (a) Prohibiting the incidental care of the sick by domestic
25 servants or persons primarily employed as housekeepers, so long as they
26 do not practice practical nursing within the meaning of this chapter;

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

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

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

37 (e) Prohibiting or preventing the practice of nursing in this state
38 by a legally qualified nurse of another state or territory whose
39 engagement requires him or her to accompany and care for a patient

1 temporarily residing in this state during the period of one such
2 engagement, not to exceed six months in length, if the person does not
3 represent or hold himself or herself out as a licensed practical nurse
4 licensed to practice in this state;

5 (f) Prohibiting nursing or care of the sick, with or without
6 compensation, when done in connection with the practice of the
7 religious tenets of a church by adherents of the church so long as they
8 do not engage in licensed practical nurse practice as defined in this
9 chapter;

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

14 **Sec. 6.** RCW 18.79.250 and 1994 sp.s. c 9 s 425 are each amended to
15 read as follows:

16 An advanced registered nurse practitioner under his or her license
17 may perform for compensation nursing care, as that term is usually
18 understood, of the ill, injured, or infirm, and in the course thereof,
19 she or he may do the following things that shall not be done by a
20 person not so licensed, except as provided in RCW 18.79.260 and
21 18.79.270:

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

25 (2) Prescribe legend drugs and Schedules II through V controlled
26 substances, as defined in the Uniform Controlled Substances Act,
27 chapter 69.50 RCW, within the scope of practice defined by the
28 commission;

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

30 (4) Hold herself or himself out to the public or designate herself
31 or himself as an advanced registered nurse practitioner or as a nurse
32 practitioner.

33 NEW SECTION. **Sec. 7.** If any provision of this act or its
34 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

--- END ---