

HOUSE BILL REPORT

HB 1753

As Passed Legislature

Title: An act relating to nursing practices in community-based and in-home care.

Brief Description: Concerning nursing practices in community-based and in-home care.

Sponsors: By Representatives Cody, Pflug, Skinner, Clibborn, Morrell, Benson and Edwards; by request of Department of Social and Health Services and Department of Health.

Brief History:

Committee Activity:

Health Care: 2/19/03, 2/27/03 [DP].

Floor Activity:

Passed House: 3/13/03, 90-0.

Senate Amended.

Passed Senate: 4/15/03, 45-0.

House Concurred.

Passed House: 4/21/03, 97-0.

Passed Legislature.

Brief Summary of Bill

- Allows registered nurses in in-home care settings to delegate nursing care tasks, including the administration of medication and tasks requiring substantial skill, to nursing assistants when the individual patient is in stable and predictable condition.
- Allows registered nurses working for a home health or hospice agency to delegate the application, instillation, or insertion of medications to a nursing assistant under a plan of care.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 12 members: Representatives Cody, Chair; Morrell, Vice Chair; Pflug, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Benson, Campbell, Clibborn, Darneille, Edwards, Moeller, Schual-Berke and Skinner.

Staff: Chris Blake (786-7392).

Background:

Nursing assistants may either be registered or certified by the Department of Health depending on their education and training. Nursing assistants may assist in providing care to individuals as delegated by and under the supervision of a licensed or registered nurse. Nursing assistants working in community-based settings may also provide certain nursing care tasks upon completing the Department of Social and Health Services' basic core nurse delegation training.

Registered nurses may delegate nursing care tasks that are within the nurse's scope of practice to other individuals where the nurse finds it to be in the patient's best interest. Before delegating a nursing care task, the registered nurse must determine the competency level of the person to perform the delegated task, evaluate the appropriateness of the delegation, and supervise the person performing the delegated task.

With the exception of delegations to nursing assistants working in community-based care settings with patients that are in a stable and predictable condition, registered nurses may not delegate tasks requiring substantial skill; the administration of medications; or piercing or severing tissues. The administration of medications by injection, sterile procedures, and central line maintenance may never be delegated to a nursing assistant in a community-based care setting.

Summary of Bill:

In addition to simple care tasks, registered nurses in in-home care settings may only delegate nursing care tasks to nursing assistants when the individual patient is in stable and predictable condition. This includes tasks requiring substantial skill and the administration of medications. In-home care settings include an individual's temporary or permanent place of residence other than an acute care hospital, skilled nursing facility, or community-based care setting. It is clarified that home care agencies are not considered home health agencies simply because they have nursing assistants providing delegated nursing care tasks.

Registered nurses working for a home health or hospice agency are allowed to delegate the application, instillation, or insertion of medications to a registered or certified nursing assistant under a plan of care.

Nursing assistants may no longer perform delegated tasks requiring the piercing or severing of tissues.

Nursing assistants are allowed to provide personal aide services for an adult with a functional disability under their direction.

The Department of Health must adopt rules regarding policies governing nurse delegation practices for in-home service agencies

Authority for individuals to provide medication assistance is clarified as including in-home care settings. An oral or written communication from an authorized practitioner stating that medication preparation assistance is necessary for a patient must be obtained before an individual may provide medication assistance. The prohibition on assisting with intravenous or injectible medications no longer applies to prefilled insulin syringes.

Updates terminology, makes technical changes, and corrects statutory cross-references.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This bill will improve care for those living in their own homes. Nurse delegation practices decrease the number of patients that must go to nursing homes after hospital stays. This is cost-effective health care and it helps people to stay self-sufficient.

Testimony Against: None.

Testified: Patty Hayes, Department of Health; Kay Kramer Seivers and Penny Black, Department of Social and Health Services; Gail McGaffick, Home Care Association of Washington and Washington State Hospice Association; Nick Federici, Washington State Association of Home Care Services; Joelle Brouner; Sue Closser, Sunrise Home Care; Rod Bault; and Toby Olson, Governor's Committee on Disability Issues and Employment.