

# HOUSE BILL REPORT

## EHB 1691

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### As Passed House:

March 18, 2003

**Title:** An act relating to authorizing advanced registered nurse practitioners to examine, diagnose, and treat injured workers covered by industrial insurance.

**Brief Description:** Authorizing advanced registered nurse practitioners to examine, diagnose, and treat injured workers covered by industrial insurance.

**Sponsors:** By Representatives Grant, Conway, Campbell, Wood, Kenney, Morrell, Crouse, Rockefeller, Holmquist, McCoy and Pflug.

### Brief History:

#### Committee Activity:

Commerce & Labor: 2/18/03, 2/26/03 [DP].

#### Floor Activity:

Passed House: 3/18/03, 97-0.

### Brief Summary of Engrossed Bill

- For workers' compensation purposes, gives advanced registered nurse practitioners nearly the same roles and responsibilities as physicians, including authority to sign accident report forms and time loss cards.
- Requires the Department of Labor and Industries to report to specified legislative committees by December 1, 2005, on the implementation of the act.
- Provides that substantive provisions of the act expire June 30, 2006.

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## HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Assistant Ranking Minority Member; Crouse, Holmquist, Hudgins, Kenney and McCoy.

**Minority Report:** Do not pass. Signed by 1 member: Representative Chandler, Ranking Minority Member.

**Staff:** Jill Reinmuth (786-7134).

**Background:**

The Workers' Compensation Act (Act) provides that an injured worker is entitled to proper and necessary medical care from a physician of the worker's choice. The Act contains many provisions specifying the roles and responsibilities of physicians. For example, a physician who fails to provide necessary assistance to injured workers or file required reports is subject to civil penalties. Also, a physician may be required to testify as to an injured worker's examination or treatment before the Department of Labor and Industries or the Board of Industrial Insurance Appeals.

The Department of Labor and Industries' rules define "physician" as a person licensed to practice medicine and surgery or osteopathic medicine and surgery. The rules also define "doctor" to include persons licensed to practice medicine and surgery, osteopathic medicine and surgery, chiropractic, naturopathic physician, podiatry, dentistry, and optometry. Doctors may sign accident report forms for injured workers and time loss cards.

The Department of Health's rules provide that an "advanced registered nurse practitioner" (ARNP) is a registered nurse prepared to assume primary responsibility for management of a broad range of patient care. According to the rules, their practice "incorporates the use of independent judgment as well as collaborative interaction with other health care professionals." The Department of Labor and Industries' rules permit ARNPs to provide nursing care for injured workers. The rules require that ARNPs be recognized as ARNPs, and have a system of obtaining physician consultations. ARNPs may not sign accident report forms or time loss cards.

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**Summary of Engrossed Bill:**

The health services available to injured workers include health services provided by advanced registered nurse practitioners within their scope of practice. ARNPs are recognized as independent practitioners. Other provisions give ARNPs the same roles and responsibilities as physicians, except that ARNPs may not conduct special medical examinations. These provisions expire June 30, 2006.

The Department of Labor and Industries must report to the Senate Commerce and Trade Committee and the House Commerce and Labor Committee by December 1, 2005, on the implementation of the act, including the effects of the act on injured worker outcomes, claim costs, and disputed claims.

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**Appropriation:** None.**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause, and provides that sections 1 through 17 take effect on July 1, 2003. Sections 18 and 19 take effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The scope of practice for advanced registered nurse practitioners allows them to provide independent care. They provide care during late hours and on weekends. They diagnose and treat patients, and refer patients to specialists when appropriate. They provide care for injured workers. They can complete and sign 15 of 17 industrial insurance forms. They can complete, but not sign, accident report forms and time loss cards. Getting physician signatures on these forms can delay reimbursements to injured workers. This bill is not about what ARNPs can do for a patient who is an injured worker. It is only about what forms ARNPs can sign. Medical costs are increasing across the country, not just in Washington.

**Testimony Against:** There is a significant problem with the Department of Labor and Industries management of the industrial insurance system. Medical costs are out of control. Although the comparison is not exact, the rate of increased medical costs in the industrial insurance system is two times the rate of increase in the consumer price index for medical costs for Seattle. Claims management has gotten worse since 1998. Providers that sign accident report forms and time loss cards are required to make medical decisions and legal decisions. Only the most highly qualified providers should be permitted to make such decisions. ARNPs may provide great treatment, but current statistics indicate that they may also over treat injured workers. Nothing in this bill strengthens the Department's ability to deal with such abuse. Washington is among the minority of states that provide free and total access to attending physicians.

**Testified:** (In support) Jerry Farley and Marty Couret, Advanced Registered Nurse Practitioners United of Washington State; Julie Keop-Woffenden, family nurse practitioner; and Robby Stern, Washington State Labor Council.

(Opposed) Clif Finch, Association of Washington Business.