

SENATE BILL REPORT

SSB 5829

As Passed Senate, March 18, 2003

Title: An act relating to nursing technicians.

Brief Description: Providing for the registration of nursing technicians.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Deccio, Thibaudeau and Winsley).

Brief History:

Committee Activity: Health & Long-Term Care: 2/25/03, 3/4/03 [DPS].

Passed Senate: 3/18/03, 48-0.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5829 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Winsley, Vice Chair; Brandland, Franklin, Keiser, Parlette and Thibaudeau.

Staff: Tanya Karwaki (786-7447)

Background: A nursing technician is defined in rule as a nursing student currently enrolled in an approved nursing program and employed for the purpose of giving help, assistance, and support in the performance of registered nursing services. The purpose of nursing technician positions is to provide an opportunity for students to gain work experience commensurate with their education.

Some licensed nursing homes and hospitals employ nursing technicians. There is concern that the rules exist without proper statutory authority.

Summary of Bill: A nursing technician is defined as a nursing student employed in a licensed hospital or nursing home who is currently enrolled in good standing in an approved nursing program and has not graduated, or graduated from an approved nursing program within the past 30 days.

Nursing technicians are authorized to perform specific nursing functions within the limits of their education. They are also prohibited from performing certain tasks, such as administering chemotherapy or scheduled drugs. Nursing technicians may function only under the direct supervision of a registered nurse, who agrees to act as a supervisor and is immediately available to the nursing technician. The nursing program must verify which specific nursing functions the nursing technicians are qualified to perform. Nursing technicians are responsible for their specific nursing function.

A new registered health care profession is created. In order to practice or hold oneself out as a nursing technician, such a person must register with the Secretary of Health and pay the appropriate fee. Nursing technicians are also added to those health professions regulated by the Uniform Disciplinary Act.

The Department of Health is authorized to investigate complaints of violations of employer use of nursing technicians. Failure to comply with the requirements may result in a civil penalty of \$1,000 per infraction.

The Washington State Nursing Care Quality Assurance Commission is authorized to adopt rules implementing the procedural requirements and fees for renewal of the registration.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: Nursing technicians have been in existence for over 20 years. In that time there has been one complaint against a nurse technician. Some facilities that have been using nursing technicians since 1991 have only success stories. This bill is safe for the public; it provides accountability and regulates how nursing technicians may be used. This bill is necessary if nursing technician positions are to remain in existence because there is currently no statutory authority for them. At any one time, there are over 300 nurse technicians working in Washington.

Testimony Against: Nursing technicians are inappropriate and dangerous to patients. Nursing technicians are given responsibility for high acuity patients even though they have not yet completed their education. A registered nurse has a greater patient load if they supervise a nursing technician. Amendments are needed.

Testified: Deb Murphy, Gloria Dunn, Michelle Huntley, Erica Fackler, WHCA (pro); Lisa Thatcher, WSHA (pro); Patty Hayes, DOH (pro); Susan Jacobson WA State Nurses Assn. (con); Joanne Metropolis, SEIU 1199 WW (con); Louise Kaplan, WA State Nurses Assn. (con).

House Amendment(s): There are three House amendments. One amendment makes technical and terminology corrections, replacing "nursing aides" with "nursing technicians." Another amendment allows a nursing technician who is a graduate of a nursing program to continue to be registered for up to 60 days by demonstrating good cause to the Secretary of Health. Finally, another amendment requires employers of nursing technicians to train nursing technicians and nurses who supervise nursing technicians, removes the section permitting imposition of civil penalties, and adds that the Department of Health shall investigate complaints of violations in hospitals and that the Department of Social and Health Services shall investigate complaints of violations in nursing homes.