

# HOUSE BILL REPORT

## HB 1666

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### As Passed Legislature

**Title:** An act relating to extending the authority of nurse practitioners to examine, diagnose, and treat injured workers covered by industrial insurance.

**Brief Description:** Repealing the expiration provision in the act authorizing nurse practitioners to treat those covered by industrial insurance.

**Sponsors:** By Representatives Green, Conway, Morrell, Cody, Ormsby, Schual-Berke, Moeller and Simpson.

#### **Brief History:**

##### **Committee Activity:**

Commerce & Labor: 2/8/07, 2/16/07 [DP].

##### **Floor Activity:**

Passed House: 2/28/07, 97-0.

Passed Senate: 4/11/07, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Permanently gives advanced registered nurse practitioners nearly the same worker's compensation roles and responsibilities as physicians, including authority to sign accident report forms and time loss cards.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** Do pass. Signed by 7 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Green, Moeller and Williams.

**Staff:** Sarah Beznoska (786-7109).

#### **Background:**

Industrial Insurance Act

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

A worker who, in the course of employment, is injured or suffers disability from occupational disease may be entitled to benefits under the Industrial Insurance Act (Act). These benefits include proper and necessary medical and surgical services 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 authorizations.

#### Advanced Registered Nurse Practitioners

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."

#### Advanced Registered Nurse Practitioners and Industrial Insurance

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. In 2004, the Legislature expanded the authority of ARNPs under the Act. Until June 30, 2007, the health services available to injured workers include health services provided by ARNPs within their scope of practice. The ARNPs are recognized as independent practitioners. Generally, ARNPs have the same roles and responsibilities as physicians, except that ARNPs may not conduct special medical examinations.

The Department of Labor and Industries reported to the House Commerce and Labor Committee on December 1, 2006, on the implementation of these provisions, including the effects on injured worker outcomes, claim costs, and disputed claims. The report generally determined that implementation of the 2004 law was not associated with any negative impact on costs, claim disputes, or time-loss duration, and appeared to positively affect provider enrollment, availability of authorized attending providers in rural areas, and administrative efficiency.

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#### **Summary of Bill:**

The expanded authority of advanced registered nurse practitioners (ARNPs) under the Industrial Insurance Act is made permanent. The health services available to injured workers

include health services provided by ARNPs within their scope of practice. The ARNPs are recognized as independent practitioners. Generally, ARNPs have the same roles and responsibilities as physicians, except that ARNPs may not conduct special medical examinations.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) Advanced registered nurse practitioners (ARNPs) have become an integral part of the health care system. People have ARNPs as their primary care physician and would like to use them if they get hurt on the job. Also, ARNPs help with access to health care.

Prior to the passage of the expanded ARNP industrial insurance authority in 2004, ARNPs did provide care to injured workers, but a physician had to sign time-loss forms and accident report forms. After 2004, ARNPs were authorized to independently perform the duties of an attending provider, within their scope of practice. The ARNPs are not allowed to rate permanent impairment, and that is okay. The sunset in the 2004 legislation and the corresponding study were requested because of concerns about cost. The study showed no statistically significant difference in average time-loss days, medical costs, and time-loss costs per claim between ARNPs and physicians. After the law was implemented, there was an improvement in administrative efficiency for workers who saw ARNPs and a significant increase of timely filing of claims.

This bill doesn't make any changes except eliminating the sunset clause on the ARNP authority. Business and labor both signed up in support. The bill would increase access without an increase in costs. This meets the definition of a good little bill and we hope it will be passed without delay.

(Opposed) None.

**Persons Testifying:** (In support) Representative Green, prime sponsor; and Marty Couret and Nick Federici, ARNPs United of Washington.

**Persons Signed In To Testify But Not Testifying:** None.