

SENATE BILL REPORT

EHB 1538

As of February 21, 2014

Title: An act relating to the safe practice of public health nurses dispensing certain medications.

Brief Description: Encouraging the safe practice of public health nurses dispensing certain medications.

Sponsors: Representatives Morrell, Angel, Green, Ryu, Jenkins and Pollet.

Brief History: Passed House: 3/05/13, 75-22; 2/03/14, 63-32.

Committee Activity: Health Care: 3/27/13, 3/28/13 [DP]; 2/20/14.

SENATE COMMITTEE ON HEALTH CARE

Majority Report: Do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey, Cleveland, Ericksen, Frockt, Keiser, Parlette and Schlicher.

Staff: Kathleen Buchli (786-7488)

Background: Local health departments consist of the county or district that provides public health services to persons within the area. In general these services may include programs to decrease tobacco use, stop the spread of sexually transmitted diseases, provide immunizations against certain communicable diseases, provide information on chronic disease prevention, promote safe food handling, provide wellness information, provide information to pregnant women or women who have an infant or child under the age of five and need food assistance, and provide information on safe drinking water.

Local health officers are physicians who are appointed as the health officer for the local health department.

Registered nurses must be licensed by the Department of Health to perform nursing care to individuals with illnesses, injuries, or disabilities. Registered nurses who work at or under the general direction of other health care professionals such as physicians, physician assistants, and advanced registered nurse practitioners, may administer medications, treatments, tests, and inoculations. Registered nurses do not have the authority to dispense drugs.

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.

Summary of Bill: A registered nurse who is employed by a local health department may dispense a drug or device for purposes of prevention or treatment of a communicable disease or family planning. Dispensing must be under the order of a person authorized to prescribe the drug or device. The local health officer must establish policies on such drug dispensing including procedures for drug dispensing, documentation storage, security, accountability, and record maintenance.

Drugs must be kept in a locked cabinet or drug room if a dispensing practitioner or registered nurse is not present. Drugs must be stored in accordance with manufacturer recommendations. Damaged, outdated, misbranded, or adulterated drugs must be kept physically separate from other drugs until they are destroyed or returned to their supplier. A dispensing record must be maintained separately from the patient chart and must be kept for at least three years. All records or receipt and disposal of drugs must be kept for a minimum of three years and available for inspection by the Board of Pharmacy. Drugs that are dispensed in the practice of the expedited partner therapy treatment protocol may omit the patient's name from the label and be dispensed to the patient to be given to the patient's partner.

The Board of Pharmacy may adopt rules to implement this act.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

Testimony From 2013 Regular Session.

PRO: This will help local health departments address communicable diseases and family planning. This will use public health nurses to provide preventative and patient care. Services provided by registered nurses are critical functions of local health departments. The bill is well thought out and is very prescriptive. This will provide a uniform standard for public health nurses across the state which leads to consistency and efficiency. This allows public health nurses to provide the right medications at the right time. Like all medical providers, these nurses are advocates for patient safety.

Testimony From 2014 Regular Session.

PRO: This bill permits registered nurses to dispense drugs. It is about prescription drugs, not over-the-counter drugs like the morning after pill. The bill will promote efficient use of public health resources and requires dispensing to be done under the supervision of a medical health officer. Public health nurses are able to swiftly respond to change which protects the health of the public. This will help resource poor counties who have experienced staff who are able to teach communicable disease and STD prevention. This will help local health departments to be flexible and to respond to public health issues quickly and more efficiently.

Persons Testifying:

Persons Testifying From 2013 Regular Session.

PRO: Representative Morrell, prime sponsor; Melissa Johnson, WA State Nurses Assn.; Dean Webb, Public Health Seattle & King County; Adrienne Thompson, Professional and Technical Employees, Local 17; Brad Banks, WA State Assn. of Local Public Health Officers.

Persons Testifying From 2014 Regular Session.

PRO: Representative Morrell, prime sponsor; Brad Banks, WA State Assn. of Local Public Health Officials; Dorene Hersh, Public Health Seattle and King County, Chief of Nursing; David Windom, Northeast Tri-County Health District, Administrator; Nigel Turner, Tacoma-Pierce County Health Dept., Division Director for Communicable Disease.