

# HOUSE BILL REPORT

## SHB 1727

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**As Passed House:**  
March 4, 2015

**Title:** An act relating to permitting nursing assistants to perform simple care tasks under indirect supervision.

**Brief Description:** Modifying the definition of health care facility relating to nursing assistants' practice settings.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Schmick, Cody and Short).

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/3/15, 2/6/15 [DPS].

**Floor Activity:**

Passed House: 3/4/15, 98-0.

**Brief Summary of Substitute Bill**

- Permits nursing assistants to work for certain licensed mental health-related service providers.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Riccelli, Vice Chair; Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier, DeBolt, Jinkins, Johnson, Moeller, Robinson, Short, Tharinger and Van De Wege.

**Staff:** Alexa Silver (786-7190).

**Background:**

Nursing Assistants.

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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.*

Nursing assistants assist in the delivery of nursing and nursing-related activities to patients in a health care facility under the direction and supervision of a registered nurse or a licensed practical nurse. The Department of Health (DOH) registers nursing assistants and certifies those who complete required education and training as determined by the Nursing Care Quality Assurance Commission (Nursing Commission). "Health care facility" is defined as a nursing home, hospital, hospice care facility, home health care agency, hospice agency, or other entity for delivery of health care services as defined by the Nursing Commission.

A registered nurse 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 some exceptions, registered nurses may not delegate tasks requiring nursing judgment, substantial skill, the administration of medications, or the piercing or severing of tissues.

#### Licensed Service Providers.

Under the Community Mental Health Services Act, a "licensed service provider" is: a licensed entity; an entity that has an agreement with the Department of Social and Health Services and that meets state minimum standards as a result of accreditation by a recognized behavioral health accrediting body; or an allopathic or osteopathic physician, registered nurse, advanced registered nurse practitioner, or psychologist.

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

For purposes of the nursing assistant law, the definition of "health care facility" includes licensed service providers under the Community Mental Health Services Act, other than individual health care providers.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) This bill relates to a clinic that provides mental health counseling. They do telemedicine, but they need to have vital signs taken. Unless they have a registered nurse or licensed practical nurse on the premises, a certified nursing assistant cannot do basic things like taking height, weight, and blood pressure. This bill will help rural areas deliver care. A nursing assistant can make a real difference in whole person care. The bill should be amended to address concerns about the definition of licensed service provider. There is no intent to limit the scope of practice of certified nursing assistants. To the extent there are assurances that nursing assistants can be supervised indirectly, they should be able to practice to their full scope.

(Opposed) None.

**Persons Testifying:** Representative Schmick, prime sponsor; Representative Short; and Gregory Robinson, Washington Community Mental Health Council.

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