

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1378

67th Legislature
2021 Regular Session

Passed by the House February 23, 2021
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 30, 2021
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1378** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1378

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Representatives Ybarra, Cody, and Dolan

Read first time 01/26/21. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the supervision of medical assistants;
2 amending RCW 18.360.010; reenacting and amending RCW 18.360.010;
3 providing an effective date; providing an expiration date; and
4 declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.360.010 and 2017 c 336 s 14 are each reenacted
7 and amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Administer" means the retrieval of medication, and its
11 application to a patient, as authorized in RCW 18.360.050.

12 (2) "Delegation" means direct authorization granted by a licensed
13 health care practitioner to a medical assistant to perform the
14 functions authorized in this chapter which fall within the scope of
15 practice of the health care provider and the training and experience
16 of the medical assistant.

17 (3) "Department" means the department of health.

18 (4) "Forensic phlebotomist" means a police officer, law
19 enforcement officer, or employee of a correctional facility or
20 detention facility, who is certified under this chapter and meets any
21 additional training and proficiency standards of his or her employer

1 to collect a venous blood sample for forensic testing pursuant to a
2 search warrant, a waiver of the warrant requirement, or exigent
3 circumstances.

4 (5) "Health care practitioner" means:

5 (a) A physician licensed under chapter 18.71 RCW;

6 (b) An osteopathic physician and surgeon licensed under chapter
7 18.57 RCW; or

8 (c) Acting within the scope of their respective licensure, a
9 podiatric physician and surgeon licensed under chapter 18.22 RCW, a
10 registered nurse or advanced registered nurse practitioner licensed
11 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A
12 RCW, a physician assistant licensed under chapter 18.71A RCW, an
13 osteopathic physician assistant licensed under chapter 18.57A RCW, or
14 an optometrist licensed under chapter 18.53 RCW.

15 (6) "Medical assistant-certified" means a person certified under
16 RCW 18.360.040 who assists a health care practitioner with patient
17 care, executes administrative and clinical procedures, and performs
18 functions as provided in RCW 18.360.050 under the supervision of the
19 health care practitioner.

20 (7) "Medical assistant-hemodialysis technician" means a person
21 certified under RCW 18.360.040 who performs hemodialysis and other
22 functions pursuant to RCW 18.360.050 under the supervision of a
23 health care practitioner.

24 (8) "Medical assistant-phlebotomist" means a person certified
25 under RCW 18.360.040 who performs capillary, venous, and arterial
26 invasive procedures for blood withdrawal and other functions pursuant
27 to RCW 18.360.050 under the supervision of a health care
28 practitioner.

29 (9) "Medical assistant-registered" means a person registered
30 under RCW 18.360.040 who, pursuant to an endorsement by a health care
31 practitioner, clinic, or group practice, assists a health care
32 practitioner with patient care, executes administrative and clinical
33 procedures, and performs functions as provided in RCW 18.360.050
34 under the supervision of the health care practitioner.

35 (10) "Secretary" means the secretary of the department of health.

36 (11) (a) "Supervision" means supervision of procedures permitted
37 pursuant to this chapter by a health care practitioner who is
38 physically present and is immediately available in the facility,
39 except as provided in (b) and (c) of this subsection.

1 **(b)** The health care practitioner does not need to be present
2 during procedures to withdraw blood, but must be immediately
3 available.

4 **(c)** During a telemedicine visit, supervision over a medical
5 assistant assisting a health care practitioner with the telemedicine
6 visit may be provided through interactive audio and video
7 telemedicine technology.

8 **Sec. 2.** RCW 18.360.010 and 2020 c 80 s 26 are each amended to
9 read as follows:

10 The definitions in this section apply throughout this chapter
11 unless the context clearly requires otherwise.

12 (1) "Administer" means the retrieval of medication, and its
13 application to a patient, as authorized in RCW 18.360.050.

14 (2) "Delegation" means direct authorization granted by a licensed
15 health care practitioner to a medical assistant to perform the
16 functions authorized in this chapter which fall within the scope of
17 practice of the health care provider and the training and experience
18 of the medical assistant.

19 (3) "Department" means the department of health.

20 (4) "Forensic phlebotomist" means a police officer, law
21 enforcement officer, or employee of a correctional facility or
22 detention facility, who is certified under this chapter and meets any
23 additional training and proficiency standards of his or her employer
24 to collect a venous blood sample for forensic testing pursuant to a
25 search warrant, a waiver of the warrant requirement, or exigent
26 circumstances.

27 (5) "Health care practitioner" means:

28 (a) A physician licensed under chapter 18.71 RCW;

29 (b) An osteopathic physician and surgeon licensed under chapter
30 18.57 RCW; or

31 (c) Acting within the scope of their respective licensure, a
32 podiatric physician and surgeon licensed under chapter 18.22 RCW, a
33 registered nurse or advanced registered nurse practitioner licensed
34 under chapter 18.79 RCW, a naturopath licensed under chapter 18.36A
35 RCW, a physician assistant licensed under chapter 18.71A RCW, or an
36 optometrist licensed under chapter 18.53 RCW.

37 (6) "Medical assistant-certified" means a person certified under
38 RCW 18.360.040 who assists a health care practitioner with patient
39 care, executes administrative and clinical procedures, and performs

1 functions as provided in RCW 18.360.050 under the supervision of the
2 health care practitioner.

3 (7) "Medical assistant-hemodialysis technician" means a person
4 certified under RCW 18.360.040 who performs hemodialysis and other
5 functions pursuant to RCW 18.360.050 under the supervision of a
6 health care practitioner.

7 (8) "Medical assistant-phlebotomist" means a person certified
8 under RCW 18.360.040 who performs capillary, venous, and arterial
9 invasive procedures for blood withdrawal and other functions pursuant
10 to RCW 18.360.050 under the supervision of a health care
11 practitioner.

12 (9) "Medical assistant-registered" means a person registered
13 under RCW 18.360.040 who, pursuant to an endorsement by a health care
14 practitioner, clinic, or group practice, assists a health care
15 practitioner with patient care, executes administrative and clinical
16 procedures, and performs functions as provided in RCW 18.360.050
17 under the supervision of the health care practitioner.

18 (10) "Secretary" means the secretary of the department of health.

19 (11)(a) "Supervision" means supervision of procedures permitted
20 pursuant to this chapter by a health care practitioner who is
21 physically present and is immediately available in the facility,
22 except as provided in (b) and (c) of this subsection.

23 (b) The health care practitioner does not need to be present
24 during procedures to withdraw blood, but must be immediately
25 available.

26 (c) During a telemedicine visit, supervision over a medical
27 assistant assisting a health care practitioner with the telemedicine
28 visit may be provided through interactive audio and video
29 telemedicine technology.

30 NEW SECTION. Sec. 3. Section 1 of this act is necessary for the
31 immediate preservation of the public peace, health, or safety, or
32 support of the state government and its existing public institutions,
33 and takes effect immediately.

34 NEW SECTION. Sec. 4. Section 1 of this act expires July 1,
35 2022.

1 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect July 1,
2 2022.

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