

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2416

68th Legislature
2024 Regular Session

Passed by the House March 5, 2024
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 1, 2024
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 2416** 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 2416

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By Representatives Graham and Riccelli; by request of Washington State Board of Nursing

Read first time 01/18/24. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to changing the legal title for advanced practice
2 nurses; amending RCW 18.79.030, 18.79.040, 18.79.050, 18.79.060,
3 18.79.070, 18.79.110, 18.79.160, 18.79.170, 18.79.180, 18.79.200,
4 18.79.230, 18.79.240, 18.79.250, 18.79.256, 18.79.260, 18.79.270,
5 18.79.290, 18.79.400, 18.79.800, and 18.79.810; creating a new
6 section; and providing an effective date.

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

8 **Sec. 1.** RCW 18.79.030 and 2023 c 123 s 19 are each amended to
9 read as follows:

10 (1) It is unlawful for a person to practice or to offer to
11 practice as a registered nurse in this state unless that person has
12 been licensed under this chapter or holds a valid multistate license
13 under chapter 18.80 RCW. A person who holds a license to practice as
14 a registered nurse in this state may use the titles "registered
15 nurse" and "nurse" and the abbreviation "R.N." No other person may
16 assume those titles or use the abbreviation or any other words,
17 letters, signs, or figures to indicate that the person using them is
18 a registered nurse.

19 (2) It is unlawful for a person to practice or to offer to
20 practice as an advanced practice registered nurse (~~(practitioner)~~) or
21 as a nurse practitioner in this state unless that person has been

1 licensed under this chapter. A person who holds a license to practice
2 as an advanced practice registered nurse (~~(practitioner)~~) in this
3 state may use the titles "advanced practice registered nurse
4 (~~(practitioner)~~)," "nurse practitioner," and "nurse" and the
5 abbreviations "~~((A.R.N.P.))~~ A.P.R.N." and "N.P." No other person may
6 assume those titles or use those abbreviations or any other words,
7 letters, signs, or figures to indicate that the person using them is
8 an advanced practice registered nurse (~~(practitioner)~~) or nurse
9 practitioner.

10 (3) It is unlawful for a person to practice or to offer to
11 practice as a licensed practical nurse in this state unless that
12 person has been licensed under this chapter or holds a valid
13 multistate license under chapter 18.80 RCW. A person who holds a
14 license to practice as a licensed practical nurse in this state may
15 use the titles "licensed practical nurse" and "nurse" and the
16 abbreviation "L.P.N." No other person may assume those titles or use
17 that abbreviation or any other words, letters, signs, or figures to
18 indicate that the person using them is a licensed practical nurse.

19 (4) Nothing in this section shall prohibit a person listed as a
20 Christian Science nurse in the Christian Science Journal published by
21 the Christian Science Publishing Society, Boston, Massachusetts, from
22 using the title "Christian Science nurse," so long as such person
23 does not hold himself or herself out as a registered nurse, advanced
24 practice registered nurse (~~(practitioner)~~), nurse practitioner, or
25 licensed practical nurse, unless otherwise authorized by law to do
26 so.

27 **Sec. 2.** RCW 18.79.040 and 2020 c 80 s 15 are each amended to
28 read as follows:

29 (1) "Registered nursing practice" means the performance of acts
30 requiring substantial specialized knowledge, judgment, and skill
31 based on the principles of the biological, physiological, behavioral,
32 and sociological sciences in either:

33 (a) The observation, assessment, diagnosis, care or counsel, and
34 health teaching of individuals with illnesses, injuries, or
35 disabilities, or in the maintenance of health or prevention of
36 illness of others;

37 (b) The performance of such additional acts requiring education
38 and training and that are recognized by the medical and nursing
39 professions as proper and recognized by the (~~(commission)~~) board to

1 be performed by registered nurses licensed under this chapter and
2 that are authorized by the (~~commission~~) board through its rules;

3 (c) The administration, supervision, delegation, and evaluation
4 of nursing practice. However, nothing in this subsection affects the
5 authority of a hospital, hospital district, in-home service agency,
6 community-based care setting, medical clinic, or office, concerning
7 its administration and supervision;

8 (d) The teaching of nursing;

9 (e) The executing of medical regimen as prescribed by a licensed
10 physician and surgeon, dentist, osteopathic physician and surgeon,
11 podiatric physician and surgeon, physician assistant, or advanced
12 practice registered nurse (~~practitioner~~), or as directed by a
13 licensed midwife within his or her scope of practice.

14 (2) Nothing in this section prohibits a person from practicing a
15 profession for which a license has been issued under the laws of this
16 state or specifically authorized by any other law of the state of
17 Washington.

18 (3) This section does not prohibit (a) the nursing care of the
19 sick, without compensation, by an unlicensed person who does not hold
20 himself or herself out to be a registered nurse, (b) the practice of
21 licensed practical nursing by a licensed practical nurse, or (c) the
22 practice of a nursing assistant, providing delegated nursing tasks
23 under chapter 18.88A RCW.

24 **Sec. 3.** RCW 18.79.050 and 2000 c 64 s 2 are each amended to read
25 as follows:

26 "Advanced practice registered nursing (~~practice~~)" means the
27 performance of the acts of a registered nurse and the performance of
28 an expanded role in providing health care services as recognized by
29 the medical and nursing professions, the scope of which is defined by
30 rule by the (~~commission~~) board. Upon approval by the (~~commission~~)
31 board, an advanced practice registered nurse (~~practitioner~~) may
32 prescribe legend drugs and controlled substances contained in
33 Schedule V of the Uniform Controlled Substances Act, chapter 69.50
34 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or
35 (s).

36 Nothing in this section prohibits a person from practicing a
37 profession for which a license has been issued under the laws of this
38 state or specifically authorized by any other law of the state of
39 Washington.

1 This section does not prohibit (1) the nursing care of the sick,
2 without compensation, by an unlicensed person who does not hold
3 himself or herself out to be an advanced practice registered nurse
4 (~~(practitioner)~~), or (2) the practice of registered nursing by a
5 licensed registered nurse or the practice of licensed practical
6 nursing by a licensed practical nurse.

7 **Sec. 4.** RCW 18.79.060 and 2020 c 80 s 16 are each amended to
8 read as follows:

9 "Licensed practical nursing practice" means the performance of
10 services requiring the knowledge, skill, and judgment necessary for
11 carrying out selected aspects of the designated nursing regimen under
12 the direction and supervision of a licensed physician and surgeon,
13 dentist, osteopathic physician and surgeon, physician assistant,
14 podiatric physician and surgeon, advanced practice registered nurse
15 (~~(practitioner)~~), registered nurse, or midwife.

16 Nothing in this section prohibits a person from practicing a
17 profession for which a license has been issued under the laws of this
18 state or specifically authorized by any other law of the state of
19 Washington.

20 This section does not prohibit the nursing care of the sick,
21 without compensation, by an unlicensed person who does not hold
22 himself or herself out to be a licensed practical nurse.

23 **Sec. 5.** RCW 18.79.070 and 2022 c 240 s 32 are each amended to
24 read as follows:

25 (1) The state (~~(nursing care quality assurance commission)~~) board
26 is established, consisting of fifteen members to be appointed by the
27 governor to four-year terms. The governor shall consider nursing
28 members who are recommended for appointment by the appropriate
29 professional associations in the state. No person may serve as a
30 member of the (~~(commission)~~) board for more than two consecutive full
31 terms.

32 (2) There must be seven registered nurse members, two advanced
33 practice registered nurse (~~(practitioner)~~) members, three licensed
34 practical nurse members, and three public members on the
35 (~~(commission)~~) board. Each member of the (~~(commission)~~) board must be
36 a resident of this state.

37 (3) (a) Registered nurse members of the (~~(commission)~~) board must:

38 (i) Be licensed as registered nurses under this chapter; and

1 (ii) Have had at least three years' experience in the active
2 practice of nursing and have been engaged in that practice within two
3 years of appointment.

4 (b) In addition:

5 (i) At least one member must be on the faculty at a four-year
6 university nursing program;

7 (ii) At least one member must be on the faculty at a two-year
8 community college nursing program;

9 (iii) At least two members must be staff nurses providing direct
10 patient care; and

11 (iv) At least one member must be a nurse manager or a nurse
12 executive.

13 (4) Advanced practice registered nurse (~~(practitioner)~~) members
14 of the (~~(commission)~~) board must:

15 (a) Be licensed as advanced practice registered nurses
16 (~~(practitioners)~~) under this chapter; and

17 (b) Have had at least three years' experience in the active
18 practice of advanced practice registered nursing and have been
19 engaged in that practice within two years of appointment.

20 (5) Licensed practical nurse members of the (~~(commission)~~) board
21 must:

22 (a) Be licensed as licensed practical nurses under this chapter;
23 and

24 (b) Have had at least three years' actual experience as a
25 licensed practical nurse and have been engaged in practice as a
26 practical nurse within two years of appointment.

27 (6) Public members of the (~~(commission)~~) board may not be a
28 member of any other health care licensing board or commission, or
29 have a fiduciary obligation to a facility rendering health services
30 regulated by the (~~(commission)~~) board, or have a material or
31 financial interest in the rendering of health services regulated by
32 the (~~(commission)~~) board.

33 (~~(In appointing the initial members of the commission, it is the~~
34 ~~intent of the legislature that, to the extent possible, the governor~~
35 ~~appoint the existing members of the board of nursing and the board of~~
36 ~~practical nursing repealed under chapter 9, Laws of 1994 sp. sess.~~
37 ~~The governor may appoint initial members of the commission to~~
38 ~~staggered terms of from one to four years. Thereafter, all members~~
39 ~~shall be appointed to full four-year terms.)) Members of the~~

1 ((~~commission~~)) board hold office until their successors are
2 appointed.

3 When the secretary appoints pro tem members, reasonable efforts
4 shall be made to ensure that at least one pro tem member is a
5 registered nurse who is currently practicing and, in addition to
6 meeting other minimum qualifications, has graduated from an associate
7 or baccalaureate nursing program within three years of appointment.

8 **Sec. 6.** RCW 18.79.110 and 2023 c 126 s 8 are each amended to
9 read as follows:

10 (1) The ((~~commission~~)) board shall keep a record of all of its
11 proceedings and make such reports to the governor as may be required.
12 The ((~~commission~~)) board shall define by rules what constitutes
13 specialized and advanced levels of nursing practice as recognized by
14 the medical and nursing profession. The ((~~commission~~)) board may
15 adopt rules or issue advisory opinions in response to questions put
16 to it by professional health associations, nursing practitioners, and
17 consumers in this state concerning the authority of various
18 categories of nursing practitioners to perform particular acts.

19 (2) The ((~~commission~~)) board shall approve curricula and shall
20 establish criteria for minimum standards for schools preparing
21 persons for licensing as registered nurses, advanced practice
22 registered nurses ((~~practitioners~~)), and licensed practical nurses
23 under this chapter. The ((~~commission~~)) board shall approve such
24 schools of nursing as meet the requirements of this chapter and the
25 ((~~commission~~)) board, and the ((~~commission~~)) board shall approve
26 establishment of basic nursing education programs and shall establish
27 criteria as to the need for and the size of a program and the type of
28 program and the geographical location. The ((~~commission~~)) board shall
29 establish criteria for proof of reasonable currency of knowledge and
30 skill as a basis for safe practice after three years' inactive or
31 lapsed status. The ((~~commission~~)) board shall establish criteria for
32 licensing by endorsement. The ((~~commission~~)) board shall determine
33 examination requirements for applicants for licensing as registered
34 nurses, advanced practice registered nurses ((~~practitioners~~)), and
35 licensed practical nurses under this chapter, and shall certify to
36 the secretary for licensing duly qualified applicants. The
37 ((~~commission~~)) board shall adopt rules which allow for one hour of
38 simulated learning to be counted as equivalent to two hours of

1 clinical placement learning, with simulated learning accounting for
2 up to a maximum of 50 percent of the required clinical hours.

3 (3) The (~~commission~~) board shall adopt rules on continuing
4 competency. The rules must include exemptions from the continuing
5 competency requirements for registered nurses seeking advanced
6 nursing degrees. Nothing in this subsection prohibits the
7 (~~commission~~) board from providing additional exemptions for any
8 person credentialed under this chapter who is enrolled in an advanced
9 education program.

10 (4) The (~~commission~~) board shall adopt such rules under chapter
11 34.05 RCW as are necessary to fulfill the purposes of this chapter.

12 (5) The (~~commission~~) board is the successor in interest of the
13 board of nursing and the board of practical nursing. All contracts,
14 undertakings, agreements, rules, regulations, decisions, orders, and
15 policies of the former board of nursing or the board of practical
16 nursing continue in full force and effect under the (~~commission~~)
17 board until the (~~commission~~) board amends or rescinds those rules,
18 regulations, decisions, orders, or policies.

19 (6) The members of the (~~commission~~) board are immune from suit
20 in an action, civil or criminal, based on its disciplinary
21 proceedings or other official acts performed in good faith as members
22 of the (~~commission~~) board.

23 (7) Whenever the workload of the (~~commission~~) board requires,
24 the (~~commission~~) board may request that the secretary appoint pro
25 tempore members of the (~~commission~~) board. When serving, pro
26 tempore members of the (~~commission~~) board have all of the powers,
27 duties, and immunities, and are entitled to all of the emoluments,
28 including travel expenses, of regularly appointed members of the
29 (~~commission~~) board.

30 **Sec. 7.** RCW 18.79.160 and 2004 c 262 s 6 are each amended to
31 read as follows:

32 (1) An applicant for a license to practice as a registered nurse
33 shall submit to the (~~commission~~) board:

34 (a) An attested written application on a department form;

35 (b) An official transcript demonstrating graduation and
36 successful completion of an approved program of nursing; and

37 (c) Any other official records specified by the (~~commission~~)
38 board.

1 (2) An applicant for a license to practice as an advanced
2 practice registered nurse (~~((practitioner))~~) shall submit to the
3 (~~((commission))~~) board:

4 (a) An attested written application on a department form;

5 (b) An official transcript demonstrating graduation and
6 successful completion of an advanced practice registered nurse
7 (~~((practitioner))~~) program meeting criteria established by the
8 (~~((commission))~~) board; and

9 (c) Any other official records specified by the (~~((commission))~~)
10 board.

11 (3) An applicant for a license to practice as a licensed
12 practical nurse shall submit to the (~~((commission))~~) board:

13 (a) An attested written application on a department form;

14 (b) Written official evidence that the applicant is over the age
15 of eighteen;

16 (c) An official transcript demonstrating graduation and
17 successful completion of an approved practical nursing program, or
18 its equivalent; and

19 (d) Any other official records specified by the (~~((commission))~~)
20 board.

21 (4) At the time of submission of the application, the applicant
22 for a license to practice as a registered nurse, advanced practice
23 registered nurse (~~((practitioner))~~), or licensed practical nurse must
24 not be in violation of chapter 18.130 RCW or this chapter.

25 (5) The (~~((commission))~~) board shall establish by rule the criteria
26 for evaluating the education of all applicants.

27 **Sec. 8.** RCW 18.79.170 and 1994 sp.s. c 9 s 417 are each amended
28 to read as follows:

29 An applicant for a license to practice as a registered nurse,
30 advanced practice registered nurse (~~((practitioner))~~), or licensed
31 practical nurse must pass an examination in subjects determined by
32 the (~~((commission))~~) board. The examination may be supplemented by an
33 oral or practical examination. The (~~((commission))~~) board shall
34 establish by rule the requirements for applicants who have failed the
35 examination to qualify for reexamination.

36 **Sec. 9.** RCW 18.79.180 and 1994 sp.s. c 9 s 418 are each amended
37 to read as follows:

1 When authorized by the (~~commission~~) board, the department shall
2 issue an interim permit authorizing the applicant to practice
3 registered nursing, advanced practice registered nursing, or licensed
4 practical nursing, as appropriate, from the time of verification of
5 the completion of the school or training program until notification
6 of the results of the examination. Upon the applicant passing the
7 examination, and if all other requirements established by the
8 (~~commission~~) board for licensing are met, the department shall
9 issue the applicant a license to practice registered nursing,
10 advanced practice registered nursing, or licensed practical nursing,
11 as appropriate. If the applicant fails the examination, the interim
12 permit expires upon notification to the applicant, and is not
13 renewable. The holder of an interim permit is subject to chapter
14 18.130 RCW.

15 **Sec. 10.** RCW 18.79.200 and 1996 c 191 s 62 are each amended to
16 read as follows:

17 An applicant for a license to practice as a registered nurse,
18 advanced practice registered nurse (~~practitioner~~), or licensed
19 practical nurse shall comply with administrative procedures,
20 administrative requirements, and fees as determined under RCW
21 43.70.250 and 43.70.280.

22 **Sec. 11.** RCW 18.79.230 and 1994 sp.s. c 9 s 423 are each amended
23 to read as follows:

24 A person licensed under this chapter who desires to retire
25 temporarily from registered nursing practice, advanced practice
26 registered nursing (~~practice~~), or licensed practical nursing
27 practice in this state shall send a written notice to the secretary.

28 Upon receipt of the notice the department shall place the name of
29 the person on inactive status. While remaining on this status the
30 person shall not practice in this state any form of nursing provided
31 for in this chapter. When the person desires to resume practice, the
32 person shall apply to the (~~commission~~) board for renewal of the
33 license and pay a renewal fee to the state treasurer. Persons on
34 inactive status for three years or more must provide evidence of
35 knowledge and skill of current practice as required by the
36 (~~commission~~) board or as provided in this chapter.

1 **Sec. 12.** RCW 18.79.240 and 2020 c 80 s 17 are each amended to
2 read as follows:

3 (1) In the context of the definition of registered nursing
4 practice and advanced practice registered nursing (~~(practice)~~), this
5 chapter shall not be construed as:

6 (a) Prohibiting the incidental care of the sick by domestic
7 servants or persons primarily employed as housekeepers, so long as
8 they do not practice registered nursing within the meaning of this
9 chapter;

10 (b) Preventing a person from the domestic administration of
11 family remedies or the furnishing of nursing assistance in case of
12 emergency;

13 (c) Prohibiting the practice of nursing by students enrolled in
14 approved schools as may be incidental to their course of study or
15 prohibiting the students from working as nursing technicians;

16 (d) Prohibiting auxiliary services provided by persons carrying
17 out duties necessary for the support of nursing services, including
18 those duties that involve minor nursing services for persons
19 performed in hospitals, nursing homes, or elsewhere under the
20 direction of licensed physicians or the supervision of licensed
21 registered nurses;

22 (e) Prohibiting the practice of nursing in this state by a
23 legally qualified nurse of another state or territory whose
24 engagement requires him or her to accompany and care for a patient
25 temporarily residing in this state during the period of one such
26 engagement, not to exceed six months in length, if the person does
27 not represent or hold himself or herself out as a registered nurse
28 licensed to practice in this state;

29 (f) Prohibiting nursing or care of the sick, with or without
30 compensation, when done in connection with the practice of the
31 religious tenets of a church by adherents of the church so long as
32 they do not engage in the practice of nursing as defined in this
33 chapter;

34 (g) Prohibiting the practice of a legally qualified nurse of
35 another state who is employed by the United States government or a
36 bureau, division, or agency thereof, while in the discharge of his or
37 her official duties;

38 (h) Permitting the measurement of the powers or range of human
39 vision, or the determination of the accommodation and refractive

1 state of the human eye or the scope of its functions in general, or
2 the fitting or adaptation of lenses for the aid thereof;

3 (i) Permitting the prescribing or directing the use of, or using,
4 an optical device in connection with ocular exercises, visual
5 training, vision training, or orthoptics;

6 (j) Permitting the prescribing of contact lenses for, or the
7 fitting and adaptation of contact lenses to, the human eye;

8 (k) Prohibiting the performance of routine visual screening;

9 (l) Permitting the practice of dentistry or dental hygiene as
10 defined in chapters 18.32 and 18.29 RCW, respectively;

11 (m) Permitting the practice of chiropractic as defined in chapter
12 18.25 RCW including the adjustment or manipulation of the
13 articulation of the spine;

14 (n) Permitting the practice of podiatric medicine and surgery as
15 defined in chapter 18.22 RCW;

16 (o) Permitting the performance of major surgery, except such
17 minor surgery as the (~~commission~~) board may have specifically
18 authorized by rule adopted in accordance with chapter 34.05 RCW;

19 (p) Permitting the prescribing of controlled substances as
20 defined in Schedule I of the Uniform Controlled Substances Act,
21 chapter 69.50 RCW;

22 (q) Prohibiting the determination and pronouncement of death;

23 (r) Prohibiting advanced practice registered nurses
24 (~~practitioners~~), approved by the (~~commission~~) board as certified
25 registered nurse anesthetists from selecting, ordering, or
26 administering controlled substances as defined in Schedules II
27 through IV of the Uniform Controlled Substances Act, chapter 69.50
28 RCW, consistent with their (~~commission~~) board-recognized scope of
29 practice; subject to facility-specific protocols, and subject to a
30 request for certified registered nurse anesthetist anesthesia
31 services issued by a physician licensed under chapter 18.71 RCW, an
32 osteopathic physician and surgeon licensed under chapter 18.57 RCW, a
33 dentist licensed under chapter 18.32 RCW, or a podiatric physician
34 and surgeon licensed under chapter 18.22 RCW; the authority to
35 select, order, or administer Schedule II through IV controlled
36 substances being limited to those drugs that are to be directly
37 administered to patients who require anesthesia for diagnostic,
38 operative, obstetrical, or therapeutic procedures in a hospital,
39 clinic, ambulatory surgical facility, or the office of a practitioner
40 licensed under chapter 18.71, 18.22, 18.36, 18.36A, 18.57, or 18.32

1 RCW; "select" meaning the decision-making process of choosing a drug,
2 dosage, route, and time of administration; and "order" meaning the
3 process of directing licensed individuals pursuant to their statutory
4 authority to directly administer a drug or to dispense, deliver, or
5 distribute a drug for the purpose of direct administration to a
6 patient, under instructions of the certified registered nurse
7 anesthetist. "Protocol" means a statement regarding practice and
8 documentation concerning such items as categories of patients,
9 categories of medications, or categories of procedures rather than
10 detailed case-specific formulas for the practice of nurse anesthesia;

11 (s) Prohibiting advanced practice registered nurses
12 (~~(practitioners)~~) from ordering or prescribing controlled substances
13 as defined in Schedules II through IV of the Uniform Controlled
14 Substances Act, chapter 69.50 RCW, if and to the extent that doing so
15 is permitted by their scope of practice;

16 (t) Prohibiting the practice of registered nursing or advanced
17 practice registered nursing by a student enrolled in an approved
18 school if:

19 (i) The student performs services without compensation or
20 expectation of compensation as part of a volunteer activity;

21 (ii) The student is under the direct supervision of a registered
22 nurse or advanced practice registered nurse (~~(practitioner)~~) licensed
23 under this chapter, a pharmacist licensed under chapter 18.64 RCW, an
24 osteopathic physician and surgeon licensed under chapter 18.57 RCW,
25 or a physician licensed under chapter 18.71 RCW;

26 (iii) The services the student performs are within the scope of
27 practice of: (A) The nursing profession for which the student is
28 receiving training; and (B) the person supervising the student;

29 (iv) The school in which the student is enrolled verifies the
30 student has demonstrated competency through his or her education and
31 training to perform the services; and

32 (v) The student provides proof of current malpractice insurance
33 to the volunteer activity organizer prior to performing any services.

34 (2) In the context of the definition of licensed practical
35 nursing practice, this chapter shall not be construed as:

36 (a) Prohibiting the incidental care of the sick by domestic
37 servants or persons primarily employed as housekeepers, so long as
38 they do not practice practical nursing within the meaning of this
39 chapter;

1 (b) Preventing a person from the domestic administration of
2 family remedies or the furnishing of nursing assistance in case of
3 emergency;

4 (c) Prohibiting the practice of practical nursing by students
5 enrolled in approved schools as may be incidental to their course of
6 study or prohibiting the students from working as nursing assistants;

7 (d) Prohibiting auxiliary services provided by persons carrying
8 out duties necessary for the support of nursing services, including
9 those duties that involve minor nursing services for persons
10 performed in hospitals, nursing homes, or elsewhere under the
11 direction of licensed physicians or the supervision of licensed
12 registered nurses;

13 (e) Prohibiting or preventing the practice of nursing in this
14 state by a legally qualified nurse of another state or territory
15 whose engagement requires him or her to accompany and care for a
16 patient temporarily residing in this state during the period of one
17 such engagement, not to exceed six months in length, if the person
18 does not represent or hold himself or herself out as a licensed
19 practical nurse licensed to practice in this state;

20 (f) Prohibiting nursing or care of the sick, with or without
21 compensation, when done in connection with the practice of the
22 religious tenets of a church by adherents of the church so long as
23 they do not engage in licensed practical nurse practice as defined in
24 this chapter;

25 (g) Prohibiting the practice of a legally qualified nurse of
26 another state who is employed by the United States government or any
27 bureau, division, or agency thereof, while in the discharge of his or
28 her official duties.

29 **Sec. 13.** RCW 18.79.250 and 2000 c 64 s 4 are each amended to
30 read as follows:

31 An advanced practice registered nurse (~~(practitioner)~~) under his
32 or her license may perform for compensation nursing care, as that
33 term is usually understood, of the ill, injured, or infirm, and in
34 the course thereof, she or he may do the following things that shall
35 not be done by a person not so licensed, except as provided in RCW
36 18.79.260 and 18.79.270:

37 (1) Perform specialized and advanced levels of nursing as
38 recognized jointly by the medical and nursing professions, as defined
39 by the (~~(commission)~~) board;

1 (2) Prescribe legend drugs and Schedule V controlled substances,
2 as defined in the Uniform Controlled Substances Act, chapter 69.50
3 RCW, and Schedules II through IV subject to RCW 18.79.240(1) (r) or
4 (s) within the scope of practice defined by the (~~commission~~) board;

5 (3) Perform all acts provided in RCW 18.79.260;

6 (4) Hold herself or himself out to the public or designate
7 herself or himself as an advanced practice registered nurse
8 (~~practitioner~~) or as a nurse practitioner.

9 **Sec. 14.** RCW 18.79.256 and 2015 c 104 s 1 are each amended to
10 read as follows:

11 An advanced practice registered nurse (~~practitioner~~) may sign
12 and attest to any certificates, cards, forms, or other required
13 documentation that a physician may sign, so long as it is within the
14 advanced practice registered nurse's (~~practitioner's~~) scope of
15 practice.

16 **Sec. 15.** RCW 18.79.260 and 2022 c 14 s 2 are each amended to
17 read as follows:

18 (1) A registered nurse under his or her license may perform for
19 compensation nursing care, as that term is usually understood, to
20 individuals with illnesses, injuries, or disabilities.

21 (2) A registered nurse may, at or under the general direction of
22 a licensed physician and surgeon, dentist, osteopathic physician and
23 surgeon, naturopathic physician, optometrist, podiatric physician and
24 surgeon, physician assistant, advanced practice registered nurse
25 (~~practitioner~~), or midwife acting within the scope of his or her
26 license, administer medications, treatments, tests, and inoculations,
27 whether or not the severing or penetrating of tissues is involved and
28 whether or not a degree of independent judgment and skill is
29 required. Such direction must be for acts which are within the scope
30 of registered nursing practice.

31 (3) A registered nurse may delegate tasks of nursing care to
32 other individuals where the registered nurse determines that it is in
33 the best interest of the patient.

34 (a) The delegating nurse shall:

35 (i) Determine the competency of the individual to perform the
36 tasks;

37 (ii) Evaluate the appropriateness of the delegation;

1 (iii) Supervise the actions of the person performing the
2 delegated task; and

3 (iv) Delegate only those tasks that are within the registered
4 nurse's scope of practice.

5 (b) A registered nurse, working for a home health or hospice
6 agency regulated under chapter 70.127 RCW, may delegate the
7 application, instillation, or insertion of medications to a
8 registered or certified nursing assistant under a plan of care.

9 (c) Except as authorized in (b) or (e) of this subsection, a
10 registered nurse may not delegate the administration of medications.
11 Except as authorized in (e) or (f) of this subsection, a registered
12 nurse may not delegate acts requiring substantial skill, and may not
13 delegate piercing or severing of tissues. Acts that require nursing
14 judgment shall not be delegated.

15 (d) No person may coerce a nurse into compromising patient safety
16 by requiring the nurse to delegate if the nurse determines that it is
17 inappropriate to do so. Nurses shall not be subject to any employer
18 reprisal or disciplinary action by the (~~nursing care quality~~
19 ~~assurance commission~~) board for refusing to delegate tasks or
20 refusing to provide the required training for delegation if the nurse
21 determines delegation may compromise patient safety.

22 (e) For delegation in community-based care settings or in-home
23 care settings, a registered nurse may delegate nursing care tasks
24 only to registered or certified nursing assistants under chapter
25 18.88A RCW or home care aides certified under chapter 18.88B RCW.
26 Simple care tasks such as blood pressure monitoring, personal care
27 service, diabetic insulin device set up, verbal verification of
28 insulin dosage for sight-impaired individuals, or other tasks as
29 defined by the (~~nursing care quality assurance commission~~) board
30 are exempted from this requirement.

31 (i) "Community-based care settings" includes: Community
32 residential programs for people with developmental disabilities,
33 certified by the department of social and health services under
34 chapter 71A.12 RCW; adult family homes licensed under chapter 70.128
35 RCW; and assisted living facilities licensed under chapter 18.20 RCW.
36 Community-based care settings do not include acute care or skilled
37 nursing facilities.

38 (ii) "In-home care settings" include an individual's place of
39 temporary or permanent residence, but does not include acute care or

1 skilled nursing facilities, and does not include community-based care
2 settings as defined in (e)(i) of this subsection.

3 (iii) Delegation of nursing care tasks in community-based care
4 settings and in-home care settings is only allowed for individuals
5 who have a stable and predictable condition. "Stable and predictable
6 condition" means a situation in which the individual's clinical and
7 behavioral status is known and does not require the frequent presence
8 and evaluation of a registered nurse.

9 (iv) The determination of the appropriateness of delegation of a
10 nursing task is at the discretion of the registered nurse. Other than
11 delegation of the administration of insulin by injection for the
12 purpose of caring for individuals with diabetes, the administration
13 of medications by injection, sterile procedures, and central line
14 maintenance may never be delegated.

15 (v) When delegating insulin injections under this section, the
16 registered nurse delegator must instruct the individual regarding
17 proper injection procedures and the use of insulin, demonstrate
18 proper injection procedures, and must supervise and evaluate the
19 individual performing the delegated task as required by the
20 (~~commission~~) board by rule. If the registered nurse delegator
21 determines that the individual is competent to perform the injection
22 properly and safely, supervision and evaluation shall occur at an
23 interval determined by the (~~commission~~) board by rule.

24 (vi)(A) The registered nurse shall verify that the nursing
25 assistant or home care aide, as the case may be, has completed the
26 required core nurse delegation training required in chapter 18.88A or
27 18.88B RCW prior to authorizing delegation.

28 (B) Before commencing any specific nursing tasks authorized to be
29 delegated in this section, a home care aide must be certified
30 pursuant to chapter 18.88B RCW and must comply with RCW 18.88B.070.

31 (vii) The nurse is accountable for his or her own individual
32 actions in the delegation process. Nurses acting within the protocols
33 of their delegation authority are immune from liability for any
34 action performed in the course of their delegation duties.

35 (viii) Nursing task delegation protocols are not intended to
36 regulate the settings in which delegation may occur, but are intended
37 to ensure that nursing care services have a consistent standard of
38 practice upon which the public and the profession may rely, and to
39 safeguard the authority of the nurse to make independent professional
40 decisions regarding the delegation of a task.

1 (f) The delegation of nursing care tasks only to registered or
2 certified nursing assistants under chapter 18.88A RCW or to home care
3 aides certified under chapter 18.88B RCW may include glucose
4 monitoring and testing.

5 (g) The (~~nursing care quality assurance commission~~) board may
6 adopt rules to implement this section.

7 (4) Only a person licensed as a registered nurse may instruct
8 nurses in technical subjects pertaining to nursing.

9 (5) Only a person licensed as a registered nurse may hold herself
10 or himself out to the public or designate herself or himself as a
11 registered nurse.

12 **Sec. 16.** RCW 18.79.270 and 2020 c 80 s 19 are each amended to
13 read as follows:

14 A licensed practical nurse under his or her license may perform
15 nursing care, as that term is usually understood, of the ill,
16 injured, or infirm, and in the course thereof may, under the
17 direction of a licensed physician and surgeon, osteopathic physician
18 and surgeon, dentist, naturopathic physician, podiatric physician and
19 surgeon, physician assistant, advanced practice registered nurse
20 (~~practitioner~~), or midwife acting under the scope of his or her
21 license, or at the direction and under the supervision of a
22 registered nurse, administer drugs, medications, treatments, tests,
23 injections, and inoculations, whether or not the piercing of tissues
24 is involved and whether or not a degree of independent judgment and
25 skill is required, when selected to do so by one of the licensed
26 practitioners designated in this section, or by a registered nurse
27 who need not be physically present; if the order given is reduced to
28 writing within a reasonable time and made a part of the patient's
29 record. Such direction must be for acts within the scope of licensed
30 practical nurse practice.

31 **Sec. 17.** RCW 18.79.290 and 1994 sp.s. c 9 s 429 are each amended
32 to read as follows:

33 (1) In accordance with rules adopted by the (~~commission~~) board,
34 public school districts and private schools that offer classes for
35 any of grades kindergarten through twelve may provide for clean,
36 intermittent bladder catheterization of students or assisted self-
37 catheterization of students who are in the custody of the school
38 district or private school at the time. After consultation with staff

1 of the superintendent of public instruction, the ((~~commission~~)) board
2 shall adopt rules in accordance with chapter 34.05 RCW, that provide
3 for the following and such other matters as the ((~~commission~~)) board
4 deems necessary to the proper implementation of this section:

5 (a) A requirement for a written, current, and unexpired request
6 from a parent, legal guardian, or other person having legal control
7 over the student that the school district or private school provide
8 for the catheterization of the student;

9 (b) A requirement for a written, current, and unexpired request
10 from a physician licensed under chapter 18.71 or 18.57 RCW, that
11 catheterization of the student be provided for during the hours when
12 school is in session or the hours when the student is under the
13 supervision of school officials;

14 (c) A requirement for written, current, and unexpired
15 instructions from an advanced practice registered nurse
16 ((~~practitioner~~)) or a registered nurse licensed under this chapter
17 regarding catheterization that include (i) a designation of the
18 school district or private school employee or employees who may
19 provide for the catheterization, and (ii) a description of the nature
20 and extent of any required supervision; and

21 (d) The nature and extent of acceptable training that shall (i)
22 be provided by a physician, advanced practice registered nurse
23 ((~~practitioner~~)), or registered nurse licensed under chapter 18.71 or
24 18.57 RCW, or this chapter, and (ii) be required of school district
25 or private school employees who provide for the catheterization of a
26 student under this section, except that a licensed practical nurse
27 licensed under this chapter is exempt from training.

28 (2) This section does not require school districts to provide
29 intermittent bladder catheterization of students.

30 **Sec. 18.** RCW 18.79.400 and 2010 c 209 s 7 are each amended to
31 read as follows:

32 (1) By June 30, 2011, the ((~~commission~~)) board shall adopt new
33 rules on chronic, noncancer pain management that contain the
34 following elements:

35 (a)(i) Dosing criteria, including:

36 (A) A dosage amount that must not be exceeded unless an advanced
37 practice registered nurse ((~~practitioner~~)) or certified registered
38 nurse anesthetist first consults with a practitioner specializing in
39 pain management; and

1 (B) Exigent or special circumstances under which the dosage
2 amount may be exceeded without consultation with a practitioner
3 specializing in pain management.

4 (ii) The rules regarding consultation with a practitioner
5 specializing in pain management must, to the extent practicable, take
6 into account:

7 (A) Circumstances under which repeated consultations would not be
8 necessary or appropriate for a patient undergoing a stable, ongoing
9 course of treatment for pain management;

10 (B) Minimum training and experience that is sufficient to exempt
11 an advanced practice registered nurse (~~(practitioner)~~) or certified
12 registered nurse anesthetist from the specialty consultation
13 requirement;

14 (C) Methods for enhancing the availability of consultations;

15 (D) Allowing the efficient use of resources; and

16 (E) Minimizing the burden on practitioners and patients;

17 (b) Guidance on when to seek specialty consultation and ways in
18 which electronic specialty consultations may be sought;

19 (c) Guidance on tracking clinical progress by using assessment
20 tools focusing on pain interference, physical function, and overall
21 risk for poor outcome; and

22 (d) Guidance on tracking the use of opioids, particularly in the
23 emergency department.

24 (2) The (~~commission~~) board shall consult with the agency
25 medical directors' group, the department of health, the University of
26 Washington, and the largest professional associations for advanced
27 practice registered nurses (~~(practitioners)~~) and certified registered
28 nurse anesthetists in the state.

29 (3) The rules adopted under this section do not apply:

30 (a) To the provision of palliative, hospice, or other end-of-life
31 care; or

32 (b) To the management of acute pain caused by an injury or a
33 surgical procedure.

34 **Sec. 19.** RCW 18.79.800 and 2017 c 297 s 8 are each amended to
35 read as follows:

36 (1) By January 1, 2019, the (~~commission~~) board must adopt rules
37 establishing requirements for prescribing opioid drugs. The rules may
38 contain exemptions based on education, training, amount of opioids
39 prescribed, patient panel, and practice environment.

1 (2) In developing the rules, the ((~~commission~~)) board must
2 consider the agency medical directors' group and centers for disease
3 control guidelines, and may consult with the department of health,
4 the University of Washington, and the largest professional
5 associations for advanced practice registered nurses
6 ((~~practitioners~~)) and certified registered nurse anesthetists in the
7 state.

8 **Sec. 20.** RCW 18.79.810 and 2019 c 314 s 10 are each amended to
9 read as follows:

10 By January 1, 2020, the ((~~commission~~)) board must adopt or amend
11 its rules to require advanced practice registered nurses
12 ((~~practitioners~~)) who prescribe opioids to inform patients of their
13 right to refuse an opioid prescription or order for any reason. If a
14 patient indicates a desire to not receive an opioid, the advanced
15 practice registered nurse ((~~practitioner~~)) must document the
16 patient's request and avoid prescribing or ordering opioids, unless
17 the request is revoked by the patient.

18 NEW SECTION. **Sec. 21.** The office of the code reviser shall
19 prepare bill language correcting references in the Revised Code of
20 Washington from advanced registered nurse practitioner to advanced
21 practice registered nurse and include this bill language in its 2025
22 technical corrections bill by December 31, 2024.

23 NEW SECTION. **Sec. 22.** Except for section 21 of this act, this
24 act takes effect June 30, 2027.

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