

CHAPTER 447

[Substitute Senate Bill No. 4107]

REGISTERED NURSES—PRIVILEGED COMMUNICATIONS

AN ACT Relating to privileged communications for registered nurses; and adding a new chapter to Title 5 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Registered nurse" means a registered nurse licensed under chapter 18.88 RCW.

(2) "Protocol" means a regimen to be carried out by a registered nurse and prescribed by a licensed physician under chapter 18.71 RCW, which is consistent with chapter 18.88 RCW and the rules adopted under chapter 18.88 RCW.

(3) "Primary care" means screening, assessment, diagnosis and treatment for the purpose of promotion of health and detection of disease or injury, as authorized by chapter 18.88 RCW and the rules adopted under chapter 18.88 RCW.

NEW SECTION. Sec. 2. No registered nurse providing primary care or practicing under protocols, whether or not the physical presence or direct supervision of a physician is required, may be examined in a civil or criminal action as to any information acquired in attending a patient in the registered nurse's professional capacity, if the information was necessary to enable the registered nurse to act in that capacity for the patient, unless:

(1) The patient consents to disclosure or, in the event of death or disability of the patient, his or her personal representative, heir, beneficiary, or devisee consents to disclosure; or

(2) The information relates to the contemplation or execution of a crime in the future, or relates to the neglect or the sexual or physical abuse of a child, or of a vulnerable adult as defined in RCW 74.34.020.

NEW SECTION. Sec. 3. Notwithstanding anything to the contrary in this chapter, the privilege created in this chapter is subject to the same limitations and exemptions contained in RCW 26.26.120, 26.44.060(3), 51.04-.050, and 71.05.250 as those limitations and exemptions relate to the physician/patient privilege of RCW 5.60.060.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act shall constitute a new chapter in Title 5 RCW.

Passed the Senate April 23, 1985.

Passed the House April 15, 1985.

Approved by the Governor May 21, 1985.

Filed in Office of Secretary of State May 21, 1985.