

(6) Permit a waiver of tuition and services and activities fees as provided for in RCW 28B.15.543 and grants under section 1 of this 1988 act.

Passed the Senate March 9, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 23, 1988.

Filed in Office of Secretary of State March 23, 1988.

## CHAPTER 211

[Engrossed Substitute House Bill No. 1404]

### NURSING—STUDY METHODS TO MAKE PROFESSION MORE ATTRACTIVE— LICENSURE REVISIONS

AN ACT Relating to nursing; amending RCW 18.78.050, 18.88.150, 18.88.080, 18.78-.060, 18.88.190, 18.88.200, and 18.88.220; adding new sections to chapter 18.78 RCW; adding a new section to chapter 18.88 RCW; creating new sections; providing an effective date; and declaring an emergency.

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

**NEW SECTION.** Sec. 1. The legislature recognizes the need to increase the pool of available nursing resources to meet new demands on the health care delivery system. The more complex nature of illnesses, constraints on reimbursement pressuring accelerated treatment and earlier patient discharge, the explosion of technology, and the parameters established by third-party payers requiring intense monitoring, may be diverting nurses from the bedside into early burnout, retirement, or employment elsewhere.

The state's nursing educational program, encompassing nursing assistants, licensed practical nurses, and licensed (registered) nurses should be better articulated for career mobility in order to make the nursing profession more attractive to individuals and for retaining qualified nurses in the health care delivery system. Barriers to licensure and employment should be eliminated to increase the number of nurses available for patient care.

The legislature declares this act is in the interest of the public health, safety, and welfare.

**NEW SECTION.** Sec. 2. The state board of nursing, in consultation with the state board of practical nursing, the superintendent of public instruction, vocational education agencies, the state board for community college education, and the higher education coordinating board, shall:

(1) Investigate current education programs for nurses in all settings, such as high schools, vocational-technical schools, community colleges, and universities, to identify the scope of nursing education programs in the state;

(2) Develop, for the purpose of approving nursing education programs for applicants for licensure, a model for articulation and career mobility to enable nurses at every level of the profession to progress to higher levels and advance their professional status by integrating into a recognized nursing curriculum;

(3) Develop innovative nursing education programs that include flexibility in classroom hours, in education program schedules, and through satellite locations so that individuals throughout the state have greater access to a nursing education program; and

(4) Investigate and support innovative models in clinical practice settings for the organization and delivery of nursing services.

The board of nursing shall present its final findings and recommendations to the legislature by January 1, 1989, with a work plan for this study to be submitted to the legislature in August, 1988.

**NEW SECTION.** Sec. 3. A new section is added to chapter 18.78 RCW to read as follows:

An applicant holding a credential in another state may be licensed by endorsement to practice in this state without examination if the board determines that the other state's credentialing standards are substantially equivalent to the standards in this state.

Sec. 4. Section 5, chapter 222, Laws of 1949, as last amended by section 129, chapter 259, Laws of 1986 and RCW 18.78.050 are each amended to read as follows:

The board shall conduct examinations for all applicants for licensure under this chapter and shall certify qualified applicants to the department of licensing for licensing. The board shall also determine and formulate what constitutes the curriculum for an approved practical nursing program preparing persons for licensure under this chapter. The board shall establish criteria for licensure by endorsement.

The board may adopt rules or issue advisory opinions in response to questions from professional health associations, health care practitioners, and consumers in this state concerning licensed practical nurse practice. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years inactive or lapsed status.

The board shall adopt such rules as are necessary to fulfill the purposes of this chapter pursuant to chapter 34.04 RCW.

Sec. 5. Section 15, chapter 202, Laws of 1949 as last amended by section 14, chapter 133, Laws of 1973 and RCW 18.88.150 are each amended to read as follows:

Upon board approval of the application, the department shall issue a license by endorsement to practice nursing as a registered nurse without examination to an applicant who ~~((has been))~~ is duly licensed as a registered nurse by examination under the laws of another state, territory or possession of the United States.

An applicant graduated from a school of nursing outside the United States and licensed by a country outside the United States shall meet all

qualifications required by this chapter and by the board and shall pass examinations as determined by the board.

**\*Sec. 6. Section 6, chapter 222, Laws of 1949 as last amended by section 8, chapter 55, Laws of 1983 and RCW 18.78.060 are each amended to read as follows:**

**An applicant for a license to practice nursing as a licensed practical nurse shall submit to the board written evidence, on a form provided by the board, verified under oath, that the applicant:**

- (1) Is at least eighteen years of age;**
- (2) Is of good moral character;**
- (3) Is of good physical and mental health;**
- (4) Has completed at least a tenth grade course or its equivalent, as determined by the board;**
- (5) Has completed an approved program of not less than nine months for the education of practical nurses, or its equivalent, as determined by the board.**

**To be licensed as a practical nurse, each applicant shall be required to pass an examination in such subjects as the board may determine within the scope of and commensurate with the work to be performed by a licensed practical nurse. Upon approval by the board, the department shall issue an interim permit authorizing the applicant to practice nursing as authorized under this chapter pending notification of the results of the first licensing examination following verification of satisfactory completion of an approved program of practical nursing. Any applicant failing to pass such an examination may apply for reexamination. If the applicant fails the examination, the interim permit expires upon notification and is not renewable. Upon passing such examination as determined by the board, the director shall issue to the applicant a license to practice as a licensed practical nurse, providing the license fee is paid by the applicant and the applicant meets all other requirements of the board.**

**\*Sec. 6 was vetoed, see message at end of chapter.**

**\*NEW SECTION. Sec. 7. Section 6 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect April 1, 1988. The director of licensing may immediately take such steps as are necessary to ensure that section 6 of this act is implemented on its effective date.**

**\*Sec. 7 was vetoed, see message at end of chapter.**

**Sec. 8. Section 8, chapter 202, Laws of 1949 as last amended by section 50, chapter 287, Laws of 1984 and RCW 18.88.080 are each amended to read as follows:**

**The board may adopt such rules and regulations not inconsistent with the law, as may be necessary to enable it to carry into effect the provisions**

of this chapter. The board shall approve curricula and shall establish criteria for minimum standards for schools preparing persons for licensure under this chapter. It shall keep a record of all its proceedings and make such reports to the governor as may be required. The board shall define by regulation what constitutes specialized and advanced levels of nursing practice as recognized by the medical and nursing professions. The board may adopt regulations or issue advisory opinions in response to questions put to it by professional health associations, nursing practitioners, and consumers in this state concerning the authority of various categories of nursing practitioners to perform particular acts.

The board shall approve such schools of nursing as meet the requirements of this chapter and the board, and the board shall approve establishment of basic nursing education programs and shall establish criteria as to the need for and the size of a program and the type of program and the geographical location. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice after three years ((nonpracticing)) inactive or lapsed status. The board shall establish criteria for licensure by endorsement. The board shall examine all applications for registration under this chapter, and shall certify to the director for licensing duly qualified applicants.

The department shall furnish to the board such secretarial, clerical and other assistance as may be necessary to effectively administer the provisions of this chapter. Each member of the board shall, in addition to travel expenses in accordance with RCW 43.03.050 and 43.03.060 while away from home, be compensated in accordance with RCW 43.03.240.

Sec. 9. Section 19, chapter 202, Laws of 1949 as last amended by section 69, chapter 7, Laws of 1985 and RCW 18.88.190 are each amended to read as follows:

Every license issued under the provisions of this chapter, whether in an active or inactive status, shall be renewed, except as hereinafter provided. ~~((The board shall by regulation establish requirements of continuing nursing education as a condition of license renewal. PROVIDED, That membership in an organization shall not be a prerequisite or condition to the fulfillment of any continuous education requirement established as provided herein. PROVIDED FURTHER, That the board shall validate all educational programs established as provided herein.))~~ At least thirty days prior to expiration, the director shall mail a notice for renewal of license to every person licensed for the current licensing period. The applicant shall return the notice to the department with a renewal fee determined by the director as provided in RCW 43.24.086 before the expiration date. Upon receipt of the notice and appropriate fee, ~~((and if requirements for continuing nursing education have been met,))~~ the department shall issue to the applicant a license which shall render the holder thereof a legal practitioner of nursing in

~~either active or inactive status for the period stated on the license((~~PRO-~~  
~~VIDED, That the requirement of continuing nursing education may for~~  
~~good cause shown be waived by the board. The department's costs for nurs-~~  
~~es' continuing education shall be borne from licensure fees. PROVIDED~~  
~~FURTHER, That the power of the board to establish continuing nursing~~  
~~education requirements as a condition of license renewal shall terminate on~~  
~~January 1, 1986, unless extended by law for an additional fixed period of~~  
~~time)).~~~~

Sec. 10. Section 20, chapter 202, Laws of 1949 as last amended by section 70, chapter 7, Laws of 1985 and RCW 18.88.200 are each amended to read as follows:

Any licensee who allows his or her license to lapse by failing to renew the license, shall upon application for renewal pay a penalty determined by the director as provided in RCW 43.24.086. If the applicant fails to renew the license before the end of the current licensing period, the license shall be issued for the next licensing period by the department upon written application and fee determined by the director as provided in RCW 43.24.086. Persons on lapsed status for three or more years must provide evidence of knowledge and skill of current practice as required by the board.

Sec. 11. Section 22, chapter 202, Laws of 1949 as amended by section 20, chapter 133, Laws of 1973 and RCW 18.88.220 are each amended to read as follows:

A person licensed under the provisions of this chapter desiring to retire temporarily from the practice of nursing in this state shall send a written notice to the director.

Upon receipt of such notice the name of such person shall be placed ~~((upon the nonpracticing list))~~ on inactive status. While remaining on this ~~((list))~~ status the person ~~((shall not be subject to the payment of any renewal fees and))~~ shall not practice nursing in the state as provided in this chapter. When such person desires to resume practice, application for renewal of license shall be made to the board and renewal fee payable to the state treasurer. Persons on ~~((nonpracticing))~~ inactive status for three years or more must provide evidence of knowledge and skill of current practice as required by the board or as hereinafter in this chapter provided.

NEW SECTION. Sec. 12. A new section is added to chapter 18.78 RCW to read as follows:

An individual may place his or her license on inactive status with proper notification to the department. The holder of an inactive license shall not practice practical nursing in this state. The inactive renewal fee shall be established by the director pursuant to RCW 43.24.086. Failure to renew an inactive license shall result in cancellation in the same manner as an active license. An inactive license may be placed in an active status upon compliance with the rules established by the board.

The provisions relating to the denial, suspension, and revocation of a license shall be applicable to an inactive or lapsed license. When proceedings to suspend or revoke an inactive license have been initiated, the license shall not be reinstated until the proceedings have been completed.

**NEW SECTION.** Sec. 13. A new section is added to chapter 18.88 RCW to read as follows:

Upon approval by the board and following verification of satisfactory completion of an advanced formal education, the department of licensing shall issue an interim permit authorizing the applicant to practice specialized and advanced nursing practice pending notification of the results of the first certification examination. If the applicant passes the examination, the department shall grant advanced registered nurse practitioner status. If the applicant fails the examination, the interim permit shall expire upon notification and is not renewable. The holder of the interim permit is subject to chapter 18.130 RCW.

Passed the House March 7, 1988.

Passed the Senate March 2, 1988.

Approved by the Governor March 23, 1988, with the exception of certain items which were vetoed.

Filed in Office of Secretary of State March 23, 1988.

Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to sections 6 and 7, Engrossed Substitute House Bill No. 1404, entitled:

"AN ACT Relating to nursing."

Sections 6 and 7 contain identical language to sections 1 and 2, Engrossed Senate Bill No. 6119. To avoid confusion in the law, I have vetoed sections 6 and 7.

With the exception of sections 6 and 7, Engrossed Substitute House Bill No. 1404 is approved."

## CHAPTER 212

[Engrossed Senate Bill No. 6119]

### LICENSED PRACTICAL NURSES—INTERIM PERMITS

AN ACT Relating to interim permits and examinations for persons applying to be licensed practical nurses; amending RCW 18.78.060; providing an effective date; and declaring an emergency.

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

Sec. 1. Section 6, chapter 222, Laws of 1949 as last amended by section 8, chapter 55, Laws of 1983 and RCW 18.78.060 are each amended to read as follows:

An applicant for a license to practice nursing as a licensed practical nurse shall submit to the board written evidence, on a form provided by the board, verified under oath, that the applicant:

- (1) Is at least eighteen years of age;