

of names for any venire there must be in the jury boxes at least five times as many names as the number of names to be drawn.

The jury list shall be selected by the judge or judges in the following manner:

(1) The selection of precincts from which names are to be selected shall be by lot;

(2) The number of jurors selected from each precinct selected under subsection (1) shall, insofar as practicable, be equal;

(3) The selection of prospective jurors within a given precinct shall be by selection of names in a given and identical numbered sequence based upon the number of jurors to be selected therefrom.

Passed the House March 6, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 21, 1961.

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## CHAPTER 288.

[ H. B. 515. ]

### PRACTICE OF NURSING.

AN ACT relating to nursing; and amending section 4, chapter 202, Laws of 1949 and RCW 18.88.030; amending section 5, chapter 202, Laws of 1949 and RCW 18.88.050; amending section 6, chapter 202, Laws of 1949 and RCW 18.88.060; amending section 8, chapter 202, Laws of 1949 and RCW 18.88.080; amending section 9, chapter 202, Laws of 1949 and RCW 18.88.090; amending section 10, chapter 202, Laws of 1949 and RCW 18.88.100; amending section 13, chapter 202, Laws of 1949 and RCW 18.88.130; amending section 14, chapter 202, Laws of 1949 and RCW 18.88.140; amending section 15, chapter 202, Laws of 1949 and RCW 18.88.150; amending section 16, chapter 202, Laws of 1949 and RCW 18.88.160; amending section 19, chapter 202, Laws of 1949 and RCW 18.88.190; amending section 20, chapter 202, Laws of 1949 and RCW 18.88.200; amending section 28, chapter 202, Laws of 1949 and RCW 18.88.280; and adding new sections to chapter 18.88 RCW.

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

RCW 18.88.030  
amended.

SECTION 1. Section 4, chapter 202, Laws of 1949 and RCW 18.88.030 are each amended to read as follows:

Registered  
nurses.  
Definitions—  
Construction  
—Exceptions.

Whenever used in this chapter, terms defined in this section shall have the meanings herein specified unless the context clearly indicates otherwise.

The practice of professional nursing means the performance for compensation of any act in the observation, care and counsel of the ill, injured or infirmed, or in the maintenance of health or prevention of illness of others, or in the supervision and teaching of other personnel, or the administration of medications and treatments as prescribed by a licensed physician, osteopathic physician and surgeon, dentist or chiropodist; requiring substantial specialized judgement and skill and based on knowledge and application of the principles of biological, physical and social science. The foregoing shall not be deemed to include acts of diagnosis or prescription of therapeutic or corrective measures.

Nothing in this chapter shall be construed as prohibiting any person from practicing any profession for which a license shall have been issued under the laws of this state.

This chapter shall not be construed as prohibiting the nursing care of the sick, without compensation, by any unlicensed person who does not hold herself or himself out to be a graduate nurse or registered nurse, and further, this chapter shall not be construed as prohibiting the practice of practical nursing by any practical nurse, with or without compensation in either homes or hospitals.

The word "board" means the Washington state board of nursing.

The term "department" means the department of licenses.

The term "director" means the director of licenses.

The term "council" means the nurse planning council.

The terms "nurse" or "nursing" wherever they occur in chapter 18.88 RCW, unless otherwise specified, for the purposes of this act shall mean a professional nurse or professional nursing.

*Sec. 2. Section 5, chapter 202, Laws of 1949 and RCW 18.88.050 are each amended to read as follows:*

*On or before July 1, 1949, the governor shall appoint a rotating board of not less than five members. The members of the first board shall be appointed to serve the following terms, beginning July 1, 1949: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years. Thereafter the terms shall be for five years. No person shall be eligible to serve for more than two five-year terms. The executive secretary as hereinafter provided for shall be an ex officio member of the board. After July 1, 1961, whenever any vacancy on the board of nursing shall occur or is about to occur, the governor shall request the Washington state nurses association to submit a list of ten qualified registered nurses as nominees for appointment to such vacancy. If such list shall be submitted by the Washington state nurses association within ten days following such request, the governor may fill such vacancy from among the nominees so submitted.*

Vetoed.

*The governor may remove any member from the board for neglect of any duty required by law, or for incompetency or unprofessional or dishonorable conduct. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor as herein provided.*

*SEC. 3. Section 6, chapter 202, Laws of 1949 and RCW 18.88.060 are each hereby amended to read as follows:*

RCW 18.88.060 amended.

Board of  
nursing.  
Qualifications  
of members.

Each member of the board shall be a citizen of the United States and a resident of this state and shall be a registered professional nurse under the provisions of this chapter, and shall have had not less than five years' experience in the practice of nursing following graduation from an accredited school of nursing and shall have been actively engaged in the practice of nursing within two years immediately prior to the time of her appointment or shall have graduated from a four-year accredited college with a major in nursing education and shall have had at least five years successful experience in administration or teaching in a nursing educational program.

RCW 18.88.080  
amended.

SEC. 4. Section 8, chapter 202, Laws of 1949, and RCW 18.88.080 are each amended to read as follows:

Powers of  
board—Com-  
pensation of  
members.

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 prescribe curricula and standards for schools preparing persons for licensure under this chapter. It shall accredit such schools for professional nurses as meet the requirements of this chapter and of the board. It shall evaluate and approve courses offered by institutions or agencies for affiliation of student nurses. It shall examine all applicants for registration under this chapter and shall certify to the director for licensing duly qualified applicants. It shall keep a record of all its proceedings and make an annual report to the governor.

The director 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 necessary travelling and incidental expenses while away from home, receive twenty-five dollars compensation for each and every day engaged in the discharge of his or her duties.

SEC. 5. Section 9, chapter 202, Laws of 1949 and RCW 18.88.090 are each amended to read as follows:

The director shall appoint a supervisor of nursing who shall act as executive secretary of the board to carry out the provisions of this chapter. The director shall also appoint such assistant supervisors as shall be necessary to carry out the provisions of this chapter. The director shall fix the compensation and provide for necessary travel expenses for all such appointees.

RCW 18.88.090 amended.  
Supervisor of nursing—  
Assistant supervisors.  
Appointment, compensation.

SEC. 6. Section 10, chapter 202, Laws of 1949 and RCW 18.88.100 are each amended to read as follows:

Supervisors of nursing and assistant supervisors shall have the same qualifications as are specified for a member of the board of nursing except that they shall have a minimum of eight years' experience in professional nursing, five years of which shall have been in teaching or in administration of a program preparing nursing practitioners or in a combination of both, and they shall have been actively engaged in nursing education for a period of three years prior to the time of appointment.

RCW 18.88.100 amended.

—Qualifications.

SEC. 7. Section 13, chapter 202, Laws of 1949 and RCW 18.88.130 are each amended to read as follows:

An applicant for a license to practice professional nursing shall submit to the board written evidence that said applicant (1) has completed at least an approved high school course of study or the equivalent thereof as determined by the board and shall meet such other preliminary qualification requirements as the board shall prescribe; (2) has completed the basic professional curriculum in an accredited school of nursing and has been issued a diploma therefrom; (3) is of good moral character; (4) is in good physical and mental health.

RCW 18.88.130 amended.

Qualifications of applicants for license.

SEC. 8. Section 14, chapter 202, Laws of 1949 and RCW 18.88.140 are each amended to read as follows:

RCW 18.88.140 amended.

Examinations  
 —Permits to  
 practice.

The applicant shall be required upon written application to pass a written examination in such subjects as the board may determine. When an applicant has been issued a diploma from an accredited school of nursing, in the interval before examinations are offered, he may be issued a permit to practice as a professional nurse pending the first succeeding date of examination. Such permits are to be issued for a period of not longer than six months. Each written examination may be supplemented by an oral or practical examination. Upon successfully passing such examination, as determined by the board, the director shall issue to the applicant a license to practice nursing as a registered professional nurse. Those applicants who fail the first examination may be allowed to submit themselves for one subsequent examination without payment of any additional fee if such examination is to be held within one year of the first failure. Applicants who fail to satisfactorily complete examinations on second attempt shall be required to complete such courses or nursing practice as prescribed by the board in order to be eligible for subsequent examinations. Written evidence of satisfactory completion of such required courses or nursing practice shall be submitted to the board.

RCW 18.88.150  
 amended.

SEC. 9. Section 15, chapter 202, Laws of 1949 and RCW 18.88.150 are each amended to read as follows:

Reciprocity.

The director of licenses after approval by the board, written application, and evidence of qualification, may issue a license to practice nursing as a registered professional nurse without examination, to an applicant who has been duly licensed or registered as a registered nurse by examination under the laws of another state, territory or foreign country, if in the opinion of the board the applicant meets or at the time of graduation met the qualifications required of registered professional nurses in this state.

SEC. 10. Section 16, chapter 202, Laws of 1949 and RCW 18.88.160 are each amended to read as follows:

Each applicant for a license to practice as a registered, professional nurse shall pay a fee of twenty dollars to the state treasurer.

RCW 18.88.160 amended.

License fee.

SEC. 11. Section 19, chapter 202, Laws of 1949 and RCW 18.88.190 are each hereby amended to read as follows:

Every license issued under the provisions of this chapter shall be annually renewed, except as hereinafter provided. On or before January 1st, the director shall mail a notice for renewal of license to every person licensed for the current year. The applicant shall return the notice to the state treasurer with a renewal fee of three dollars before March 1st. Upon receipt of the notice and fee the director shall issue to the applicant a certificate of renewal for the current year beginning January 1st and expiring December 31st of that year. Such certificate of renewal shall render the holder thereof a legal practitioner of professional nursing for the period stated on the certificate of renewal.

RCW 18.88.190 amended.

Renewal of licenses.

SEC. 12. Section 20, chapter 202, Laws of 1949 and RCW 18.88.200 are each amended to read as follows:

After March 1st, any licensee who allows his or her license to lapse by failing to renew the license, shall upon application for renewal pay a penalty of two dollars. If the applicant fails to renew the license before December 31st of that year, the license shall be issued for the next year by the director upon written application and fee of twenty dollars.

RCW 18.88.200 amended.

Penalty for failure to renew.

SEC. 13. Section 28, chapter 202, Laws of 1949 and RCW 18.88.280 are each amended to read as follows:

This chapter shall not be construed as conferring any authority to practice medicine or to undertake the treatment or care of disease, pain, injury, deformity or physical condition in violation of chapter 18.71 RCW; nor shall it be construed as conferring

RCW 18.88.280 amended.

Excepted activities—  
Limitation of practice.

any authority to practice osteopathy or osteopathy and surgery in violation of chapter 18.57 RCW; nor shall it be construed as prohibiting the incidental care of the sick by domestic servants or persons primarily employed as housekeepers, so long as they do not practice professional nursing within the meaning of this chapter, or preventing any person from the domestic administration of family remedies or the furnishing of nursing assistance in case of emergency; nor shall it be construed as prohibiting such practice of nursing by students enrolled in accredited schools as may be incidental to their course of study nor shall it prohibit such students working as nursing aides; nor shall it be construed as prohibiting auxiliary services provided by persons carrying out duties necessary for the support of nursing service including those duties which involve minor nursing services for persons performed in hospitals or elsewhere under the direction of licensed physicians or the supervision of licensed, registered nurses; nor shall it be construed as prohibiting or preventing the practice of nursing in this state by any legally qualified nurse of another state or territory whose engagement requires him or her to accompany and care for a patient temporarily residing in this state during the period of one such engagement, not to exceed six months in length, if such person does not represent or hold himself or herself out as a nurse licensed to practice in this state; nor shall it be construed as prohibiting nursing or care of the sick, with or without compensation, when done in connection with the practice of the religious tenets of any church by adherents thereof so long as they do not engage in the practice of nursing as defined in this chapter; nor shall it be construed as prohibiting the practice of any legally qualified nurse of another state who is employed by the United States government or any bureau, division or agency thereof, while in the discharge of his or her official duties.



SEC. 14. There is added to chapter 202, Laws of 1949 and to chapter 18.88 RCW a new section to read as follows: New section.

A professional nurse under her license may perform for compensation nursing care (as that term is usually understood) of the ill, injured or infirm, and in the course thereof, she is authorized to do the following things which shall not be done by any person not so licensed: Acts enumerated to be performed only by licensed nurse.

(1) At or under the general direction of a licensed physician, dentist, osteopath or chiropodist (acting within the scope of his license) to administer medications, treatments, tests and inoculations, whether or not the severing or penetrating of tissues is involved and whether or not a degree of independent judgment and skill is required.

(2) To delegate to other persons engaged in nursing, the functions outlined in the preceding paragraph.

(3) To instruct students of nursing in technical subjects pertaining to nursing.

(4) To hold herself out to the public or designate herself as a registered nurse or professional nurse.

SEC. 15. There is added to chapter 202, Laws of 1949 and to chapter 18.88 RCW a new section to read as follows: New section.

The board of nursing may at its option by injunctive proceedings instituted by the attorney general, prevent the practice of professional nursing by any person not validly licensed. Injunctive relief available.

SEC. 16. There is added to chapter 202, Laws of 1949 and to chapter 18.88 RCW a new section to read as follows: New section.

Any person not holding a valid license or certificate of registration to practice nursing issued by authority of the state but who is otherwise qualified and who has also practiced professional nursing in this state for at least one year within the immediate Period set to be licensed in —Requisites.

five year period prior to making application, may become licensed to practice upon making application within eighteen months after the effective date of this 1961 amendatory act, and upon passing an examination given by the board.

Passed the House February 26, 1961.

Passed the Senate March 7, 1961.

Approved by the Governor March 21, 1961, with the exception of Section 2, which is vetoed.

Veto message, excerpt.

NOTE: Excerpt of Governor's veto message reads as follows:

"I disapprove and veto section 2 of the bill.

"The bill as a whole makes a number of desirable changes affecting the nursing profession.

"The major purpose of the amendment contained in section 2 of the bill is to require me to appoint to the Board of Nursing, nominees selected initially by the Washington State Nurses Association. Increasingly, the Legislature is restricting appointments to various boards and commissions to lists initially selected by the profession involved. In the past, the appointments which I have made to the Washington State Board of Nursing have been accepted without criticism, and the members appointed by me to this board at my sole discretion, have served well.

"I see no reason why a change should be made restricting this free choice on my part. If any person appointed by me to this board should render inadequate service, I will be held responsible for the actions of a member appointed by me. I therefore feel that my choice of appointments should remain free and unrestricted.

"With the exception of section 2, which is vetoed, the remainder of House Bill No. 515 is approved."

ALBERT D. ROSELLINI,  
Governor.

## CHAPTER 289.

[ H. B. 207. ]

### DIRECTOR OF AERONAUTICS.

AN ACT relating to the state aeronautics commission; and amending section 4, chapter 165, Laws of 1947 and RCW 14.04.040.

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

SECTION 1. Section 4, chapter 165, Laws of 1947 and RCW 14.04.040 are each amended as follows:

A director of aeronautics shall be appointed by the commission and shall serve at the pleasure of the commission. He shall be appointed with due regard

RCW 14.04.040 amended.