



**PUBLIC HEALTH**  
**ALWAYS WORKING FOR A SAFER AND**  
**HEALTHIER WASHINGTON**

# Nursing Care Quality Assurance Commission

## Introduction to Disciplinary Process



# Topics

- Discuss the role of Nursing Care Quality Assurance Commission in nurse discipline.
- Provide information about the investigative process.
- Provide information about the complaint resolution process.

# Commission Regulation

Uniform  
Disciplinary  
Act

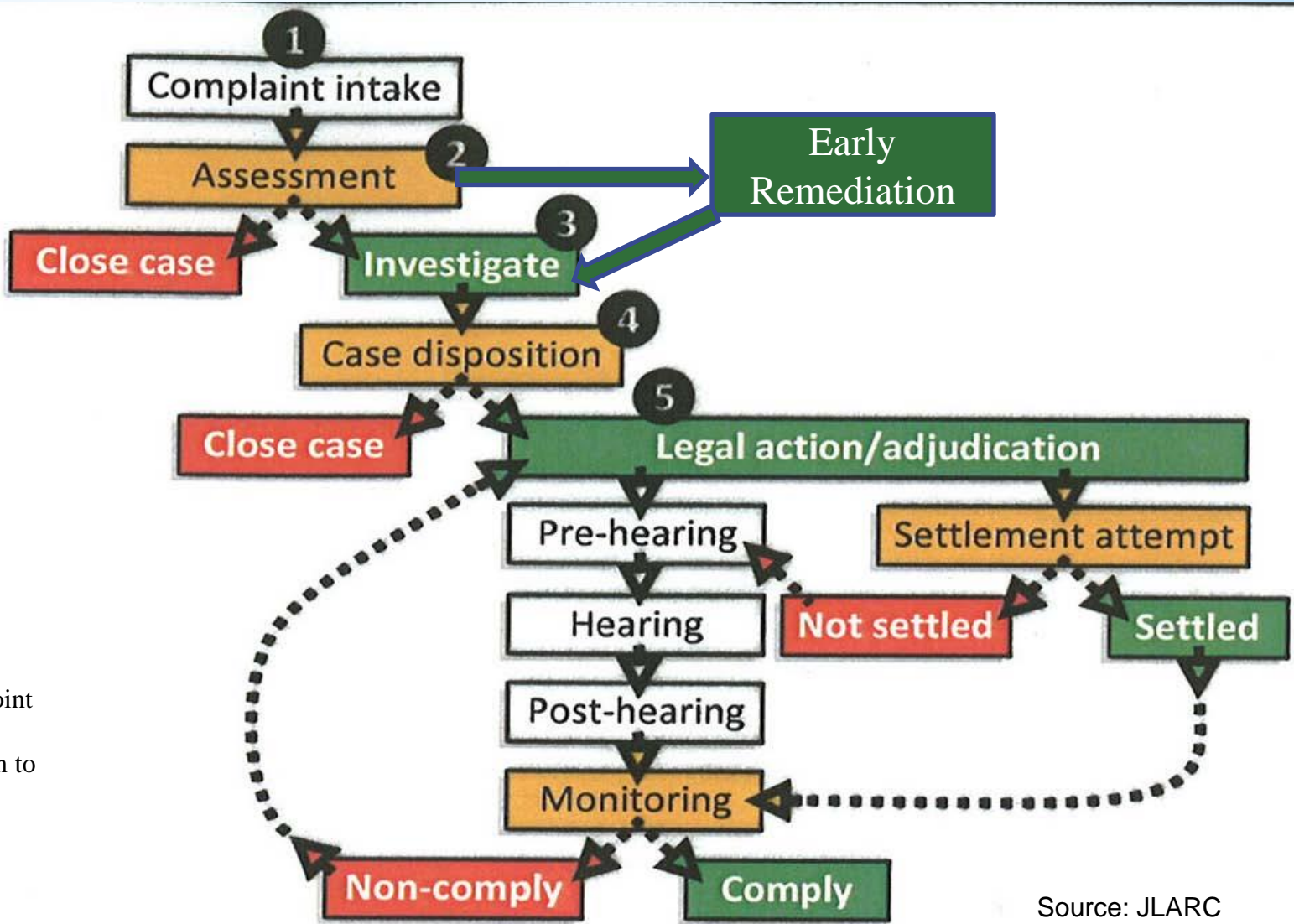
A Venn diagram consisting of two overlapping circles. The left circle is light blue and contains text about the Uniform Disciplinary Act. The right circle is light green and contains text about the Nurse Practice Act. The two circles overlap in the center.

RCW  
18.130.180

Nurse  
Practice  
Act

RCW 18.79  
WAC 246-840

# Introduction to Disciplinary Process



## Color Key

- White – Event
- Gold – Decision point
- Green – Process
- Red – End or return to earlier step

Source: JLARC

# Unprofessional Conduct

- Dishonesty
- Misrepresentation
- Negligence
- Credential restricted in another state
- Practicing beyond scope
- Gross misdemeanor or felony conviction
- Illegitimate use of controlled drugs
- Use of illegal drugs
- Abuse of patient/sexual contact with patient

# Report Sources

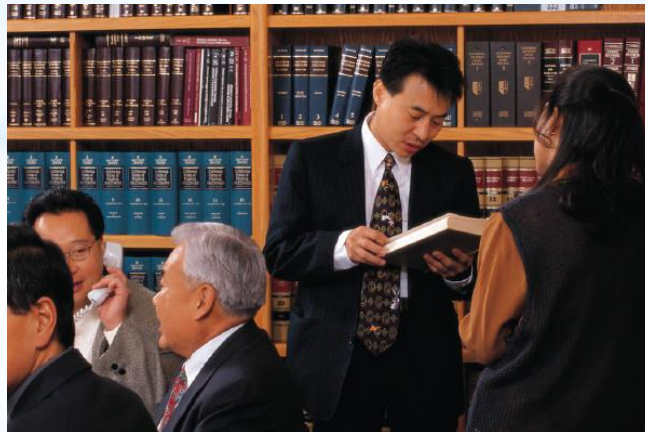
- Telephone, letter, email (e.g. family, patient, health care provider)
- State & Federal agency referrals such as Department of Social and Health Services (DSHS), Drug Enforcement Agency (DEA), Food and Drug Administration (FDA)
- Local law enforcement referrals (e.g. police, sheriff offices)





# Case Management Review

- All reports are reviewed by a case management team
  - Team is composed of three Commission members (two nurses and one public member), a staff attorney, and a healthcare investigator.
  - The Commission decides to either close the report as no violation, close the report as below threshold, or open the case to investigation.
  - If they decide to open the case to investigation, then they have to decide to open it to full investigation or early remediation.





# Investigation of Complaints

Complaint Opened

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graph TD; A[Complaint Opened] --> B[Evidence Collected]; B --> C[Decision];
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Evidence Collected

Decision

# Complaint Reviewed

- Identify Possible Violations
  - Federal & State laws
    - Revised Code of Washington (RCW) State Law
    - Washington Administrative Code (WAC) State Rule
    - United States Code Service (USCS) Federal Law
  - Standards of Practice/Interpretive Statements



# Collect Evidence

- Medical Records
- Witness Statements
- Facility policies & procedures
- Agency reports (e.g. police, Department of Social and Health Services)
- Written statement from nurse under investigation



# Decision Options

- Dismissal
- Closed below threshold or not likely to re-occur
- Early Remediation (ER) Program
- Stipulation to Informal Disposition (STID)
- Washington Health Professional Service (WHPS)
- Statement of Charges (SOC)
- Hearing



# Early Remediation Program Criteria

- No current charges or disciplinary history by nurse
- No or minor degree of harm to patient
- Employer agreement to participate if ordered by the Commission
- Practice breakdown is correctable by education, training and monitoring of practice

# Hearing

Who is at the Hearing?

- Panel of three commission members
- Presiding Officer (judge)
- Prosecuting Attorney (associate attorney general, AAG))
- Nurse and their attorney at their own expense if they choose
- Witnesses that either side can call on to present their case
- Interested public at large



# Summary

## Questions and Discussion



# Contact Information

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Nursing Commission Website  
<http://www.doh.wa.gov/LicensesPermitsandCertificates/NursingCommission.aspx>