

**DEPARTMENT OF HEALTH  
NURSING CARE QUALITY ASSURANCE COMMISSION**

---

**WHPS Procedure Summary 1.01: Program Eligibility and Referral/Discharge Criteria**

---

This procedure defines the criteria for eligibility to participate in the WHPS program

**SUMMARY**

1. To be eligible for the program, nurses must meet the following requirements:
  - A. Agree to limit practice to one state.
  - B. Hold, or be eligible to obtain, a Washington State nurse license.
    - After WHPS becomes aware of an expired license, the nurse may be allowed up to one month to renew their license.
    - Nurses enrolled in another state program must meet the eligibility criteria and follow the business practices of that state's program. WHPS will require at least quarterly compliance reports from that state.
  - C. Agree in writing to the terms of their individual Program Participation Contract.
2. Referral to the Nursing Care Quality Assurance Commission (NCQAC)
  - A. Significant material non-compliance (e.g. unauthorized substance use, practicing without prior approval) will result in the nurse being referred to the NCQAC.
    - Nurses referred to the NCQAC may remain in monitoring pending disciplinary action.
  - B. When referred to the NCQAC the nurse's entire monitoring record will be made available to the NCQAC.
3. Program Discharge
  - A. WHPS discharges the nurse if they are Away Without Leave (AWOL), uncooperative or unwilling to continue being monitored.
  - B. Upon discharge (non-compliance) from monitoring, the nurse may be re-admitted upon referral from the NCQAC and under the following conditions:

The nurse will provide at least twelve (12) consecutive months of verified clean and sober (recovery) time. Evidence of being clean and

sober includes, but is not limited to: Random body fluid, hair, or other biological testing (minimum of 12 per year with NCSBN recommended panel), completion of recommended chemical dependency treatment, and participation in a self-help and/or professional peer support groups.

C. Nurses returning to WHPS after discharge must complete the entire intake process including providing a current (within 90 days) substance use evaluation.

#### 4. Program Discharge: Withdraw Due To Financial Reasons

A. The NCQAC will be informed that the nurse is withdrawing due to financial reasons and may return at the discretion of NCQAC and WHPS.

#### 5. Incarceration

A. Any nurse incarcerated while in the program will be placed on an extended monitoring interruption. The NCQAC will be consulted regarding nurses incarcerated for greater than one year.

#### 6. License Suspension

A. Nurses under suspension may choose to remain enrolled in the WHPS program. The rationale for remaining in the program is to provide evidence of clean and sober behavior in the event the nurse applies for reinstatement or modification of the NCQAC order. All contract requirements must be met and remain in effect.

## **Significant Material Non-Compliance**

Compliance with all aspects of the WHPS Program is required. Non-compliance with any aspect of the program will have specific consequences consistently applied. Examples of significant material non-compliance and actions include, but are not limited to:

- a. Failure to maintain abstinence
- b. Positive drug test not explained by a valid prescription
- c. Missed drug tests
- d. Specimen substitution or adulteration
- e. A pattern of behavior inconsistent with good recovery Drug diversion
- f. Prescription forging, tampering or modifying
- g. Illegal possession of drugs (legend or illegal drugs)
- h. Arrests involving use or possession of alcohol or drugs
- i. Accepting employment or modified duties without prior approval
- j. Violation of work practice restrictions
- k. Absences from required meetings, therapy, evaluations, contract extension, increase in drug screening
- l. Refusal to sign requested information releases

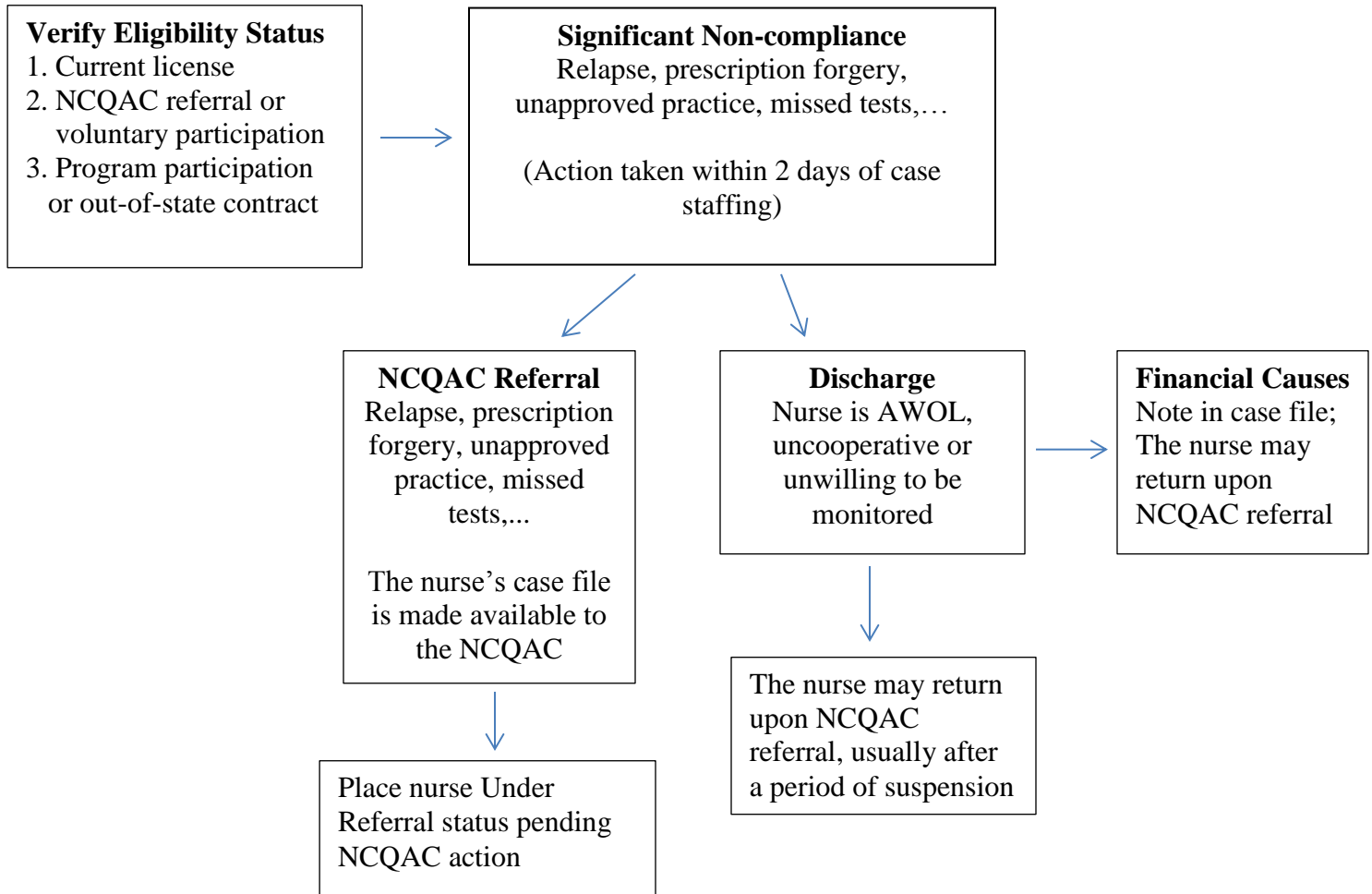
For any instance of significant material non-compliance, WHPS may take actions including, but not limited to:

- a. NCQAC referral- mandatory for unauthorized use, third missed drug screen and working without approval
- b. Program discharge for being AWOL, unable or refusal to comply
- c. Removal from practice
- d. Increase in drug screen frequency
- e. Additional testing including, but not limited to hair, nail and blood analysis
- f. Face to face meeting with Case Manager
- g. Referral for substance use evaluation
- h. Additional contract time.

# WHPS Procedure 1.01 Program Eligibility and Referral/Discharge Criteria

## Process Chart

Applies to all participation types: Voluntary, In Lieu of Discipline, Agreed Order



Questions to consider when referring the nurse to NCQAC:

1. Is the nurse able to practice with reasonable skill and safety?
2. Is the nurse a clear and present danger?
3. Is the nurse engaged in monitoring and recommended treatment?
4. Does the behavior reflect a trend that does not allow for effective monitoring?
5. Are the actions (conditions) imposed by WHPS sufficient to effectively address the issue?