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## Definitions: Direct Patient Care

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Implementation of [Engrossed Second Substitute Senate Bill 5236](#) requires understanding how different agencies define specific terms. The meanings may differ based on context and “statutory construction.” This document covers, “Direct Patient Care.”

### The Department of Health

The Department of Health (DOH) uses the definition of direct patient care for hospital staffing from the Centers for Disease Control and Prevention:

*Hands on, face-to-face contact with patients for the purpose of diagnosis, treatment, and monitoring.*

Further, state law ([RCW 70.41.410](#)) defines “nursing staff” as registered nurses (RNs), licensed practical nurses (LPNs), nursing assistants-certified (NA-Cs), and unlicensed assistive nursing personnel (UAPs) providing direct patient care.

### The Department of Labor & Industries

The Department of Labor and Industries (L&I) utilizes the definition of direct patient care in relation to meal and rest breaks. Other divisions within L&I use the term direct patient care in:

- The payment for health care services provided to injured workers;
- In establishing the qualification of a health services coordinator, and;
- In making the determination of presumptive eligibility for posttraumatic stress disorder arising from certain occupation but not as a definition.

These terms can differ in their contexts.

For meal and rest breaks, [RCW 49.28.480](#) defines an “employee,” in part, as someone who is “involved in direct patient care activities or clinical services” (*emphasis added*).

L&I further clarifies what this means in [Administrative Policy HLS.A.2, Meal and Rest Break Protections for Certain Healthcare Workers](#):

*Direct patient care activities are those that involve contact with patients to provide care and services. Direct patient care activities include assessment, diagnosis, treatment, prevention of diseases and injuries, and health support and promotion activities. An individual may be considered to be involved in direct patient care activities when they are primarily stationed within a clinical unit and provide direct support to clinical staff by coordinating patient care and other services. Contact may be hands-on, remote or virtual, or other direct patient contact.*

For meal and rest break compliance and reporting purposes, L&I maintains a non-exhaustive list of professions that are presumptively covered by the definition above. [See www.Lni.wa.gov/HLS](http://www.Lni.wa.gov/HLS)

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