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HOUSE BILL 2707

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State of Washington                      57th Legislature                      2002 Regular Session

By Representatives Edwards, Skinner, Cody and Schual-Berke

Read first time 01/24/2002. Referred to Committee on Health Care.

1            AN ACT Relating to long-term caregiver training; and amending RCW  
2 18.20.270.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 18.20.270 and 2000 c 121 s 2 are each amended to read  
5 as follows:

6            (1) The definitions in this subsection apply throughout this  
7 section unless the context clearly requires otherwise.

8            (a) "Caregiver" includes any person who provides residents with  
9 hands-on personal care on behalf of a boarding home, except volunteers  
10 who are directly supervised.

11            (b) "Direct supervision" means oversight by a person who has  
12 demonstrated competency in the core areas or has been fully exempted  
13 from the training requirements pursuant to this section, is on the  
14 premises, and is quickly and easily available to the caregiver.

15            (2) Training must have the following components: Orientation,  
16 basic training, specialty training as appropriate, and continuing  
17 education. All boarding home employees or volunteers who routinely  
18 interact with residents shall complete orientation. Boarding home  
19 administrators, or their designees, and caregivers shall complete

1 orientation, basic training, specialty training as appropriate, and  
2 continuing education.

3 (3) Orientation consists of introductory information on residents'  
4 rights, communication skills, fire and life safety, and universal  
5 precautions. Orientation must be provided at the facility by  
6 appropriate boarding home staff to all boarding home employees before  
7 the employees have routine interaction with residents.

8 (4) Basic training consists of modules on the core knowledge and  
9 skills that caregivers need to learn and understand to effectively and  
10 safely provide care to residents. Basic training must be outcome-  
11 based, and the effectiveness of the basic training must be measured by  
12 demonstrated competency in the core areas through the use of a  
13 competency test. Basic training must be completed by caregivers within  
14 one hundred twenty days of the date on which they begin to provide  
15 hands-on care or within (~~one hundred twenty days of March 1, 2002~~)  
16 six months from the date on which the department publishes its final  
17 basic and specialty training competencies and materials, whichever is  
18 later. Until competency in the core areas has been demonstrated,  
19 caregivers shall not provide hands-on personal care to residents  
20 without direct supervision. Boarding home administrators, or their  
21 designees, must complete basic training and demonstrate competency  
22 within one hundred twenty days of employment or within (~~one hundred~~  
23 ~~twenty days of March 1, 2002~~) six months from the date on which the  
24 department publishes its final basic and specialty training  
25 competencies and materials, whichever is later.

26 (5) For boarding homes that (~~serve~~) identify themselves as  
27 offering specialty care for residents with special needs such as  
28 dementia, developmental disabilities, or mental illness, specialty  
29 training is required of administrators, or designees, and caregivers.  
30 Specialty training consists of modules on the core knowledge and skills  
31 that caregivers need to effectively and safely provide care to  
32 residents with special needs. Specialty training should be integrated  
33 into basic training wherever appropriate. Specialty training must be  
34 outcome-based, and the effectiveness of the specialty training measured  
35 by demonstrated competency in the core specialty areas through the use  
36 of a competency test. Specialty training must be completed by  
37 caregivers within one hundred twenty days of the date on which they  
38 begin to provide hands-on care to a resident having special needs or  
39 within (~~one hundred twenty days of March 1, 2002~~) six months from the

1 date on which the department publishes its final basic and specialty  
2 training competencies and materials, whichever is later. However, if  
3 specialty training is not integrated with basic training, the specialty  
4 training must be completed within ninety days of completion of basic  
5 training. Until competency in the core specialty areas has been  
6 demonstrated, caregivers shall not provide hands-on personal care to  
7 residents with special needs without direct supervision. Boarding home  
8 administrators, or their designees, must complete specialty training  
9 and demonstrate competency within one hundred twenty days of March 1,  
10 2002, or six months from the date on which the department publishes its  
11 final basic and specialty training competencies and materials,  
12 whichever is later, if the boarding home serves one or more residents  
13 with special needs.

14 (6) Continuing education consists of ongoing delivery of  
15 information to caregivers on various topics relevant to the care  
16 setting and care needs of residents. Competency testing is not  
17 required for continuing education. Continuing education is not  
18 required during the first year following completion of the basic  
19 training. If specialty training is completed, the specialty training  
20 applies toward any continuing education requirement for up to two years  
21 following the completion of the specialty training.

22 (7) Persons who successfully challenge the competency test for  
23 basic training are fully exempt from the basic training requirements of  
24 this section. Persons who successfully challenge the specialty  
25 training competency test are fully exempt from the specialty training  
26 requirements of this section.

27 (8) Licensed persons who perform the tasks for which they are  
28 licensed are fully or partially exempt from the training requirements  
29 of this section, as specified by the department in rule.

30 (9) In an effort to improve access to training and education and  
31 reduce costs, especially for rural communities, the coordinated system  
32 of long-term care training and education must include the use of  
33 innovative types of learning strategies such as internet resources,  
34 videotapes, and distance learning using satellite technology  
35 coordinated through community colleges or other entities, as defined by  
36 the department.

37 (10) The community long-term care training and education steering  
38 committee established under RCW 74.39A.190 shall develop criteria for

1 the approval of orientation, basic training, and specialty training  
2 programs.

3 (11) Boarding homes that desire to deliver facility-based training  
4 with facility designated trainers, or boarding homes that desire to  
5 pool their resources to create shared training systems, must be  
6 encouraged by the department in their efforts. The community long-term  
7 care training and education steering committee shall develop criteria  
8 for reviewing and approving trainers and training materials that are  
9 substantially similar to or better than the materials developed by the  
10 steering committee. Approval may be based upon attestation by a  
11 boarding home administrator that the boarding home's training  
12 curriculum addresses basic and specialty training competencies  
13 identified by the department.

14 (12) The department shall adopt rules by March 1, 2002, for the  
15 implementation of this section based on the recommendations of the  
16 community long-term care training and education steering committee  
17 established in RCW 74.39A.190.

18 (13) The orientation, basic training, specialty training, and  
19 continuing education requirements of this section (~~take effect~~)  
20 commence March 1, 2002, or six months from the date on which the  
21 department publishes its final basic and specialty training materials,  
22 whichever is later, and shall be applied (~~prospectively~~) to employees  
23 hired subsequent to the implementation date or employees that on the  
24 implementation date have not successfully completed the training  
25 requirements under RCW 74.39A.010. However, nothing in this section  
26 affects the current training requirements under RCW 74.39A.010.

27 (14) Instructor qualifications for basic and specialty training  
28 must be based on work experience in long-term care and the related  
29 specialty fields, including completion of a "train the trainer" course.  
30 Instructors will be evaluated and monitored by their peers.

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