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HOUSE BILL 3130

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives O'Brien, Seaquist, and Morrell

Read first time 01/26/10. Referred to Committee on Human Services.

1            AN ACT Relating to electronic timekeeping for home care agencies;  
2 adding a new section to chapter 74.39A RCW; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** The legislature finds that:

5            (1) Home care agencies that provide in-home personal care or  
6 respite services under chapter 70.127 RCW, Title 71A RCW, or chapter  
7 74.39 RCW, currently provide proper and accurate verification of agency  
8 employee hours.

9            (2) The technology currently available from vendors providing  
10 electronic timekeeping software does not provide an electronic  
11 timekeeping solution when the beneficiary does not use a land-based  
12 telephone line.

13            (3) On average, no more than sixty percent of a home care agency's  
14 state paid beneficiary caseload have access to a land-based telephone  
15 line. As a result, home care agencies continue to use a paper-based  
16 time sheet verification process for at least forty percent of their  
17 state paid beneficiary caseload.

18            (4) Home care agencies are expected to bear significant costs  
19 associated with the implementation of the electronic timekeeping

1 requirement, including costs to train agency employees, customize  
2 electronic timekeeping software, and create required policies and  
3 procedures and other documentation.

4 (5) The electronic timekeeping requirement only applies to home  
5 care agencies who provide less than a third of the total state paid  
6 beneficiary personal care and respite services, while two-thirds of  
7 personal care and respite services, provided to state paid  
8 beneficiaries through the individual provider system, are not required  
9 to provide verification of employee hours worked through either an  
10 electronic timekeeping system or any other system.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.39A RCW  
12 to read as follows:

13 (1) Beginning July 1, 2010, the department shall conduct an  
14 electronic timekeeping study, in conjunction with home care agencies,  
15 to determine best practices for the implementation of the verification  
16 of employee hours worked, using an electronic timekeeping system.

17 (2) The electronic timekeeping study must be conducted from July 1,  
18 2010, through December 31, 2010. The best practices required by  
19 subsection (1) of this section must be released to the home care  
20 agencies via management bulletin not later than January 31, 2011.

21 (3) Beginning July 1, 2011, the department shall not pay a home  
22 care agency licensed under chapter 70.127 RCW for in-home personal care  
23 or respite services provided under this chapter, Title 71A RCW, or  
24 chapter 74.39 RCW, if the home care agency does not verify agency  
25 employee hours by electronic timekeeping.

26 (4) For purposes of this section, "electronic timekeeping" means an  
27 electronic, verifiable method of recording an employee's presence in  
28 the client's home at the beginning and end of the employee's client  
29 visit workday.

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