

**HB 2646** - S COMM AMD

By Committee on Health Care

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 18.88B.041 and 2012 c 164 s 302 are each amended to  
4 read as follows:

5 (1) The following long-term care workers are not required to become  
6 a certified home care aide pursuant to this chapter:

7 (a)(i)(A) Registered nurses, licensed practical nurses, certified  
8 nursing assistants or persons who are in an approved training program  
9 for certified nursing assistants under chapter 18.88A RCW, medicare-  
10 certified home health aides, or other persons who hold a similar health  
11 credential, as determined by the secretary, or persons with special  
12 education training and an endorsement granted by the superintendent of  
13 public instruction, as described in RCW 28A.300.010, if the secretary  
14 determines that the circumstances do not require certification.

15 (B) A person who was initially hired as a long-term care worker  
16 prior to January 7, 2012, and who completes all of his or her training  
17 requirements in effect as of the date he or she was hired.

18 (ii) Individuals exempted by (a)(i) of this subsection may obtain  
19 certification as a home care aide without fulfilling the training  
20 requirements in RCW 74.39A.074(1)(d)(ii) but must successfully complete  
21 a certification examination pursuant to RCW 18.88B.031.

22 (b) All long-term care workers employed by community residential  
23 service businesses.

24 (c) An individual provider caring only for his or her biological,  
25 step, or adoptive child or parent.

26 (d) (~~Prior to July 1, 2014,~~) A person (~~hired~~) working as an  
27 individual provider who provides twenty hours or less of care for one  
28 person in any calendar month.

29 (e) A person working as an individual provider who only provides

1 respite services and works less than three hundred hours in any  
2 calendar year.

3 (2) A long-term care worker exempted by this section from the  
4 training requirements contained in RCW 74.39A.074 may not be prohibited  
5 from enrolling in training pursuant to that section.

6 (3) The department shall adopt rules to implement this section.

7 **Sec. 2.** RCW 74.39A.076 and 2012 c 164 s 402 are each amended to  
8 read as follows:

9 (1) Beginning January 7, 2012, except for long-term care workers  
10 exempt from certification under RCW 18.88B.041(1)(a):

11 (a) A biological, step, or adoptive parent who is the individual  
12 provider only for his or her developmentally disabled son or daughter  
13 must receive twelve hours of training relevant to the needs of adults  
14 with developmental disabilities within the first one hundred twenty  
15 days after becoming an individual provider or within one hundred twenty  
16 calendar days after March 29, 2012, whichever is later.

17 (b) Individual providers identified in (b)(i) (~~and~~), (ii), and  
18 (iii) of this subsection must complete thirty-five hours of training  
19 within the first one hundred twenty days after becoming an individual  
20 provider or within one hundred twenty calendar days after March 29,  
21 2012, whichever is later. Five of the thirty-five hours must be  
22 completed before becoming eligible to provide care. Two of these five  
23 hours shall be devoted to an orientation training regarding an  
24 individual provider's role as caregiver and the applicable terms of  
25 employment, and three hours shall be devoted to safety training,  
26 including basic safety precautions, emergency procedures, and infection  
27 control. Individual providers subject to this requirement include:

28 (i) An individual provider caring only for his or her biological,  
29 step, or adoptive child or parent unless covered by (a) of this  
30 subsection; (~~and~~)

31 (ii) (~~Until January 1, 2014,~~) A person (~~hired~~) working as an  
32 individual provider who provides twenty hours or less of care for one  
33 person in any calendar month; and

34 (iii) A person working as an individual provider who only provides  
35 respite services and works less than three hundred hours in any  
36 calendar year.

1 (2) In computing the time periods in this section, the first day is  
2 the date of hire or March 29, 2012, whichever is applicable.

3 (3) Only training curriculum approved by the department may be used  
4 to fulfill the training requirements specified in this section. The  
5 department shall only approve training curriculum that:

6 (a) Has been developed with input from consumer and worker  
7 representatives; and

8 (b) Requires comprehensive instruction by qualified instructors.

9 (4) The department shall adopt rules to implement this section.

10 **Sec. 3.** RCW 74.39A.341 and 2013 c 259 s 3 are each amended to read  
11 as follows:

12 (1) All long-term care workers shall complete twelve hours of  
13 continuing education training in advanced training topics each year.  
14 This requirement applies beginning July 1, 2012.

15 (2) Completion of continuing education as required in this section  
16 is a prerequisite to maintaining home care aide certification under  
17 chapter 18.88B RCW.

18 (3) Unless voluntarily certified as a home care aide under chapter  
19 18.88B RCW, subsection (1) of this section does not apply to:

20 (a) An individual provider caring only for his or her biological,  
21 step, or adoptive child;

22 (b) Registered nurses and licensed practical nurses licensed under  
23 chapter 18.79 RCW;

24 (c) Before January 1, 2016, a long-term care worker employed by a  
25 community residential service business; ~~((or))~~

26 ~~((Before July 1, 2014,))~~ A person ((hired)) working as an  
27 individual provider who provides twenty hours or less of care for one  
28 person in any calendar month; or

29 (e) A person working as an individual provider who only provides  
30 respite services and works less than three hundred hours in any  
31 calendar year.

32 (4) Only training curriculum approved by the department may be used  
33 to fulfill the training requirements specified in this section. The  
34 department shall only approve training curriculum that:

35 (a) Has been developed with input from consumer and worker  
36 representatives; and

37 (b) Requires comprehensive instruction by qualified instructors.

1 (5) Individual providers under RCW 74.39A.270 shall be compensated  
2 for training time required by this section.

3 (6) The department of health shall adopt rules to implement  
4 subsection (1) of this section.

5 (7) The department shall adopt rules to implement subsection (2) of  
6 this section."

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7 On page 1, line 4 of the title, after "services;" strike the  
8 remainder of the title and insert "and amending RCW 18.88B.041,  
9 74.39A.076, and 74.39A.341."

EFFECT: Permanently exempts individual providers who provide 20  
hours or less of care for one person in a calendar year from the  
certification requirement, rather than providing an extension of the  
exemption through July 1, 2016.

Permanently exempts individual providers who only provide respite  
services and work less than 300 hours in a calendar year from  
certification requirements, rather than providing an exemption through  
July 1, 2016.

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