

# HOUSE BILL REPORT

## SHB 1629

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### As Passed Legislature

**Title:** An act relating to eliminating barriers to credentialing and continuing education as a home care aide.

**Brief Description:** Concerning credentialing and continuing education requirements for long-term care workers.

**Sponsors:** House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Schmick, Jinkins, Tharinger, Green, Pollet, Morrell, Santos and Ryu).

#### **Brief History:**

##### **Committee Activity:**

Health Care & Wellness: 2/12/13, 2/22/13 [DPS].

##### **Floor Activity:**

Passed House: 3/5/13, 96-0.

Passed Senate: 4/17/13, 47-1.

Passed Legislature.

#### **Brief Summary of Substitute Bill**

- Extends the time that a long-term care worker has to become a certified home care aide from 150 to 200 days after the date of hire.
- Establishes a provisional certification for long-term care workers who are limited English proficient to provide them with an additional 60 days to complete home care aide certification.
- Exempts registered nurses and licensed practical nurses from continuing education requirements applicable to long-term care workers.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Angel, Clibborn, Green, Manweller, Moeller, Morrell, Riccelli, Rodne, Ross, Short, Tharinger and Van De Wege.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Chris Blake (786-7392).

**Background:**

A long-term care worker is any person who provides paid, hands-on personal care services for the elderly or persons with disabilities. The term includes individual providers of home care services, direct care workers employed by home care agencies, providers of home care services to people with developmental disabilities, direct care workers in assisted-living facilities and adult family homes, and respite care providers. The term does not include employees of nursing homes, hospitals, acute care settings, residential habilitation centers, hospice agencies, adult day care centers, and adult day health centers. The term also excludes people who are not paid by the state or any private agency or facility licensed by the state to provide personal care services.

Long-term care workers must become certified home care aides unless an exemption applies. Exempt individuals include registered nurses, licensed practical nurses, certified nursing assistants, home health aides, long-term care workers employed by community residential service businesses, and individual providers caring for only their biological, step, or adoptive child or parent. In many cases, individuals who are exempt from home care aide certification must still meet specific training requirements in order to provide caregiver activities.

Long-term care workers must be certified as home care aides within 150 days after the date of hire. To become certified as a home care aide, a long-term care worker must complete 75 hours of training, pass a certification examination, and pass state and federal background checks. Long-term care workers may work once they have completed five hours of safety and orientation training. Long-term care workers who have not received home care aide certification within 150 days from the date of hire are prohibited from working.

**Summary of Substitute Bill:**

The time that a long-term care worker has to become a certified home care aide is increased from 150 to 200 days after the date of hire. A provisional certification is established for long-term care workers who are limited English proficient and have complied with all other home care aide certification requirements. The provisional certification provides the long-term care worker with an additional 60 days to become certified as a home care aide. The provisional certification program expires on July 1, 2016.

Registered nurses and licensed practical nurses are exempt from the continuing education training required for long-term care workers.

Caregivers in adult family homes must practice under direct supervision, rather than indirect supervision, prior to demonstrating competence in basic training.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This workforce is critical to the success of Washington's long-term care system. The time extension for certification will help those parts of the state where classes are hard to reach. Initiative 1163 was very specific about enforcement and additional time and flexibility are necessary for completing training. One in five long-term care clients are limited English proficient and the bill will help match that linguistic profile.

(Opposed) None.

**Persons Testifying:** Misha Werschkul, Service Employees International Union 775 NW; Peter Nazzal, Catholic Community Services; Bill Moss, Department of Social and Health Services; Vicki McNeally, Washington State Residential Care Council; and Lauri St. Ours, Washington Health Care Association.

**Persons Signed In To Testify But Not Testifying:** None.