

# HOUSE BILL REPORT

## HB 2646

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**As Passed House:**  
February 17, 2014

**Title:** An act relating to certification exemptions and training requirements for individual providers who work less than twenty hours per month for a single client, or who only provide limited respite services.

**Brief Description:** Providing certification exemptions and training requirements for certain individual provider long-term care workers.

**Sponsors:** Representatives Cody, Tharinger, Harris, Senn, Morrell and Freeman; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:**

Appropriations Subcommittee on Health & Human Services: 2/6/14 [DP].

**Floor Activity:**

Passed House: 2/17/14, 96-0.

**Brief Summary of Bill**

- Extends a certification exemption for individual providers who provide 20 hours or less of care for one person in any calendar month from July 1, 2014, to July 1, 2016.
- Creates a certification exemption for individual providers who only provide respite services and work less than 300 hours in a calendar year.

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**HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON HEALTH & HUMAN SERVICES**

**Majority Report:** Do pass. Signed by 10 members: Representatives Morrell, Chair; Harris, Ranking Minority Member; Cody, Green, G. Hunt, Kagi, Ormsby, Ross, Schmick and Tharinger.

**Staff:** James Kettel (786-7123).

**Background:**

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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.*

Long-term care (LTC) workers provide care to elderly and disabled clients, many of whom are eligible for publicly funded services through the Department of Social and Health Services (DSHS). These workers provide personal care assistance (i.e. bathing, eating, toileting, dressing, meal preparation, and household chores) to individuals with developmental disabilities and individuals with other long-term care needs.

The services may be provided: (1) by LTC workers employed in various regulated residential settings; or (2) in the client's home by individual providers who contract directly with the DSHS or by agency providers who are employees of a licensed home care agency. A paid individual provider may be a relative or a household member, although the parent of a client who is a minor or the client's spouse may not be a paid individual provider under most programs.

The term "LTC worker" does not include persons employed in nursing homes, hospitals, hospice agencies, or adult day care or day health care centers.

Most LTC workers are required to complete 75 hours of basic training and 12 hours of continuing education every year thereafter. Most LTC workers are also required to pass written and skill demonstration exams to obtain certification as a home care aides. Prior to July 1, 2014, an individual provider who provides 20 hours or less of care for one person in any calendar month is exempt from certification requirements for becoming a home care aide.

**Summary of Bill:**

The certification exemption for individual providers who provide 20 hours or less of care for one person in any calendar month is extended until July 1, 2016. A certification exemption is created for individual providers who only provide respite services and work less than 300 hours in a calendar year.

**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) Families depend on respite providers. Barriers to accessing a respite provider must be eliminated. Additional flexibility for hiring and attracting respite providers is needed. In some cases, families have lost a trusted respite provider just because the individual has not completed the requirement to become a certified home care aide. We do not want workers to lose jobs and families to lose good workers. Families need to be able to use respite hours strategically during the year to prevent crisis situations. If a crisis happens, then providing support for the client is much more costly. Additional investment in the Individual and Family Service program is great, because it helps decrease the no-paid services caseload. Although, unless barriers to finding respite providers are addressed, the

additional funding for Individual and Family Services may not be fully utilized. It may make sense to eliminate the sunset of this exemption from certification, but more stakeholder work is needed.

(Opposed) None.

**Persons Testifying:** Representative Cody, prime sponsor; Bill Moss, Department of Social and Health Services; Audrey Adams; Misha Werschkul, Service Employees International Union Healthcare 775; Donna Patrick, Developmental Disabilities Council; Ron Ralph; and Evelyn Perez, Developmental Disabilities Administration.

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