

# FINAL BILL REPORT

## HB 1531

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Synopsis as Enacted

**Brief Description:** Removing expiration dates for training and certification exemptions for certain long-term care workers.

**Sponsors:** Representatives Tharinger, Harris, Jinkins, Cody, Caldier, Kagi, Wylie and Senn; by request of Department of Social and Health Services.

**House Committee on Health Care & Wellness**  
**Senate Committee on Health Care**

#### **Background:**

A long-term care worker is any person who provides paid, hands-on personal care services for older persons 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 care providers 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 as home care aides by the Department of Health unless an exemption applies. 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. Certified home care aides and specified long-term care workers must complete 12 hours of annual continuing education.

Long-term care workers who are exempt from becoming certified home care aides 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 addition, until July 1, 2016, there are exemptions for persons working as individual providers who: (1) provide 20 hours of care or less each month; or (2) provide only respite services and work less than 300 hours each year. Until 2016, when these limited-hour individual

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providers must become certified home care aides, they must complete 35 hours of training, including five hours of specified training prior to providing any care. Beginning July 1, 2016, limited-hour individual providers must annually complete 12 hours of continuing education.

**Summary:**

The temporary exemption from home care aide certification requirements is made permanent for persons working as individual providers who: (1) provide 20 hours of care or less each month; or (2) provide only respite services and work less than 300 hours each year. The requirement that limited-hour individual providers must complete 35 hours of training, including five hours of specified training prior to providing any care, is made permanent. The temporary exemption from continuing education requirements is made permanent.

The Department of Health's temporary authority to issue a 60-day provisional certification to long-term care workers who are limited-English proficient is made permanent.

**Votes on Final Passage:**

House	91	7
Senate	46	1

**Effective:** July 24, 2015