

HOUSE BILL REPORT

EHB 1322

As Passed House:
March 2, 2017

Title: An act relating to reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year.

Brief Description: Reducing training requirements for developmental disability respite providers working three hundred hours or less in any calendar year.

Sponsors: Representatives Kilduff, Harris, Kagi, Senn, Cody, Short, McDonald, Caldier, Dent, Tharinger, Dye, Robinson, Lovick, Appleton, Goodman, Fey, Hudgins, Sawyer, Muri, Jinkins, McBride and Doglio.

Brief History:

Committee Activity:

Health Care & Wellness: 2/8/17, 2/17/17 [DP];
Appropriations: 2/24/17 [DP].

Floor Activity:

Passed House: 3/2/17, 98-0.

Brief Summary of Engrossed Bill

- Reduces training requirements for individual providers who provide respite services for individuals with developmental disabilities and who work less than 300 hours in a year.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 17 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, DeBolt, Harris, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Rodne, Slatter, Stonier and Tharinger.

Staff: Alexa Silver (786-7190).

HOUSE COMMITTEE ON APPROPRIATIONS

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.

Majority Report: Do pass. Signed by 33 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Stokesbary, Assistant Ranking Minority Member; Bergquist, Buys, Caldier, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Pollet, Sawyer, Schmick, Senn, Springer, Stanford, Sullivan, Taylor, Tharinger, Vick, Volz and Wilcox.

Staff: Mary Mulholland (786-7391).

Background:

Long-term care workers provide paid, personal care assistance to individuals with developmental disabilities or other long-term care needs. The term includes individual providers of home care services. It excludes people who are not paid by the state or any private agency or facility licensed by the state to provide personal care services.

The minimum training requirement for long-term care workers is 75 hours of entry-level training approved by the Department of Social and Health Services (Department). Several categories of individual providers are subject to different training requirements. For example:

- A biological, step, or adoptive parent who is the individual provider only for his or her developmentally disabled son or daughter must receive 12 hours of training relevant to the needs of adults with developmental disabilities within 120 days of becoming an individual provider.
- The following types of individual providers must complete 35 hours of training within 120 days of becoming an individual provider: (1) an individual provider caring for his or her biological, step, or adoptive child or parent; (2) a person working as an individual provider who provides 20 hours or less of care for one person in a month; and (3) a person working as an individual provider who only provides respite services and works less than 300 hours in a year.

Only training curriculum approved by the Department may be used to fulfill these requirements. The Department may only approve curriculum that has been developed with input from consumer and worker representatives and that requires comprehensive instruction by qualified instructors.

For individual providers represented by an exclusive bargaining representative, all required training must be provided by a training partnership designated by the exclusive bargaining representative. The training partnership must provide reports to verify that all individual providers have complied with all training requirements.

Summary of Engrossed Bill:

A person working as an individual provider must complete 14 hours of training within 120 days of becoming an individual provider if he or she:

- provides respite care services only for individuals with developmental disabilities who are receiving services; and
- works 300 hours or less in a year.

Before becoming eligible to provide care, the individual provider must complete five training hours, including three hours of safety training and two hours of orientation training regarding the caregiving role and terms of employment. The training partnership must offer at least 12 of the 14 hours online, and five of the online training hours must be individually selected from elective courses.

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 (Health Care & Wellness):

(In support) This bill will have a positive impact on the lives of persons with developmental disabilities and their families. Families caring for their loved ones are on-call 24 hours a day. Respite care provides well-deserved breaks so family members can go to the doctor's office or the grocery store, take a walk in the park, and otherwise recuperate. It also allows them to provide better care. As legal guardians, parent providers cannot allow an unqualified person to watch over their children with developmental disabilities.

This bill addresses the shortage of respite care providers while preserving the quality of care. Many parent providers have family members, friends, and neighbors who are ready to provide respite care but cannot take 35 hours of training because they work full-time. The training requirements are not helpful and get in the way of badly needed respite care. A 14-hour training requirement can be completed over the weekend. These are client-specific providers who are trained primarily by the family.

People who want to become an individual provider have to wait months for classes to be held, the classes are scheduled at inconvenient times, and often the classes have nothing to do with the person being cared for. This bill increases access to training by putting the courses online, and it allows the parent and provider to choose the most relevant courses.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Parent providers need people to help them take breaks and with this bill they will be better supported. Many individual providers who provide respite have regular jobs and cannot take a week off to attend 35 hours of training. The online training will be more accessible, relevant, and customizable, and the training partnership is already putting training options online. The union and stakeholders have worked hard to come up with the policy. It was thought that the bill had no fiscal impact or would generate savings.

(Opposed) None.

Persons Testifying (Health Care & Wellness): Representative Kilduff, prime sponsor; Frank Metully, Asenati Leapai, Ed Solseng, Demas Nesterenko, and Peter Stockwell, Service Employees International Union 775; Loren Freeman, Freeman and Associates; Seth Dawson, Community Employee Alliance; Bethany Maertens; Suzanne Searles; and Becky Bisbee, The Arc of King County.

Persons Testifying (Appropriations): Demas Nesterenko, Service Employees International Union 775; and Donna Patrick, Developmental Disabilities Council.

Persons Signed In To Testify But Not Testifying (Health Care & Wellness): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.