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**SUBSTITUTE SENATE BILL 5700**

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**State of Washington**

**65th Legislature**

**2018 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Ranker, Rivers, Llias, Pedersen, Darneille, Chase, and Kuderer)

READ FIRST TIME 01/17/18.

1 AN ACT Relating to training long-term care providers on the needs  
2 of the LGBTQ population; amending RCW 74.39A.341; adding a new  
3 section to chapter 70.128 RCW; adding a new section to chapter 18.20  
4 RCW; and adding a new section to chapter 18.51 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 74.39A.341 and 2015 c 152 s 3 are each amended to  
7 read as follows:

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

11 (2) Of the twelve hours of continuing education training required  
12 by subsection (1) of this section, at least one hour must provide  
13 cultural competency training on issues relating to the LGBTQ  
14 population as follows:

15 (a) Long-term care workers exempt from certification under RCW  
16 18.88B.041(1)(a)(i)(B) and long-term care workers who are licensed on  
17 the effective date of this section must complete the one-time  
18 training by their next continuing education due date after August 1,  
19 2019;

20 (b) After completing the one-time training, long-term care  
21 workers are not required to take the one-time training again until

1 the department approves changes to the curriculum. If there are  
2 approved changes in the curriculum based upon revised department  
3 competencies, all long-term care workers must take the new curriculum  
4 as set forth in the Washington administrative code.

5 (3) Completion of continuing education as required in this  
6 section is a prerequisite to maintaining home care aide certification  
7 under chapter 18.88B RCW.

8 ~~((3))~~ (4) Unless voluntarily certified as a home care aide  
9 under chapter 18.88B RCW, subsection (1) of this section does not  
10 apply to:

11 (a) An individual provider caring only for his or her biological,  
12 step, or adoptive parent or child;

13 (b) Registered nurses and licensed practical nurses licensed  
14 under chapter 18.79 RCW;

15 ~~((Before January 1, 2016, a long-term care worker employed by~~  
16 ~~a community residential service business;~~

17 ~~(d))~~ A person working as an individual provider who provides  
18 twenty hours or less of care for one person in any calendar month; or

19 ~~((e))~~ (d) A person working as an individual provider who only  
20 provides respite services and works less than three hundred hours in  
21 any calendar year.

22 ~~((4))~~ (5) Only training curriculum approved by the department  
23 may be used to fulfill the training requirements specified in this  
24 section. The department shall only approve training curriculum that:

25 (a) Has been developed with input from consumer and worker  
26 representatives; ~~((and))~~

27 (b) Requires comprehensive instruction by qualified instructors;  
28 and

29 (c) For the one-time training described in subsection (2) of this  
30 section, contributes to an evidence and outcome-based approach.

31 ~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be  
32 compensated for training time required by this section.

33 ~~((6))~~ (7) The department of health shall adopt rules to  
34 implement subsection (1) of this section.

35 ~~((7))~~ (8) The department shall adopt rules to implement  
36 subsections (2) and (3) of this section.

37 NEW SECTION. Sec. 2. A new section is added to chapter 70.128  
38 RCW to read as follows:

1 (1) Adult family home licensees must complete two hours on a one-  
2 time basis of department-approved cultural competency training  
3 relating to the lesbian, gay, bisexual, transgender, questioning  
4 (LGBTQ) population. The department must approve the training  
5 curriculum, program, and instructors required by this section, and  
6 develop a form licensees may use for self-reporting completion of  
7 this requirement.

8 (2) The training required by this section must be completed as  
9 follows:

10 (a) All adult family homeowners or administrators who are  
11 licensed on the effective date of this section must complete the one-  
12 time training by the facility's next license renewal after August 1,  
13 2019;

14 (b) All adult family homeowners or administrators who become  
15 licensed after the effective date of this section must complete the  
16 training by the time of their first license renewal;

17 (c) After completing the one-time training, adult family  
18 homeowners or operators are not required to take the training again  
19 until the department approves changes to the curriculum. If there are  
20 approved changes in the curriculum based upon revised department  
21 competencies, adult family homeowners or operators, and all long-term  
22 care workers, must take the new curriculum as set forth in the  
23 Washington administrative code.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.20  
25 RCW to read as follows:

26 (1) Assisted living facility licensees or administrators must  
27 complete two hours on a one-time basis of department-approved  
28 cultural competency training relating to the lesbian, gay, bisexual,  
29 transgender, questioning (LGBTQ) population. The department must  
30 approve the training curriculum, program, and instructors required by  
31 this section, and develop a form licensees may use for self-reporting  
32 completion of this requirement.

33 (2) The training required by this section must be completed as  
34 follows:

35 (a) All assisted living facility owners or administrators who are  
36 licensed on the effective date of this section must complete the one-  
37 time training by the time of the facility's next license renewal  
38 after August 1, 2019;

1 (b) All assisted living facility owners or administrators who  
2 become licensed after the effective date of this section must  
3 complete the training by the time of their first license renewal;

4 (c) After completing the one-time training, assisted living  
5 facility owners or administrators are not required to take the  
6 training again until the department approves changes to the  
7 curriculum. If there are approved changes in the curriculum based  
8 upon revised department competencies, assisted living facility owners  
9 or administrators, and all long-term care workers, must take the new  
10 training curriculum as set forth in the Washington administrative  
11 code.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.51  
13 RCW to read as follows:

14 (1) Nursing home licensees must complete two hours on a one-time  
15 basis of department-approved cultural competency training relating to  
16 the lesbian, gay, bisexual, transgender, questioning (LGBTQ)  
17 population. The department must approve the training curriculum,  
18 program, and instructors required by this section, and develop a form  
19 licensees may use for self-reporting completion of this requirement.

20 (2) The training required by this section must be completed as  
21 follows:

22 (a) All nursing homeowners or administrators who are licensed on  
23 the effective date of this section must complete the one-time  
24 training by the time of the home's next license renewal after August  
25 1, 2019;

26 (b) After completing the one-time training, nursing homeowners or  
27 administrators are not required to take the training again until the  
28 department approves changes to the curriculum. If there are approved  
29 changes in the curriculum based upon revised department competencies,  
30 all nursing homeowners or administrators, and all long-term care  
31 workers, must take the new curriculum as set forth in the Washington  
32 administrative code.

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