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SENATE BILL 5700

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State of Washington

65th Legislature

2017 Regular Session

By Senators Ranker, Rivers, Llias, Pedersen, Darneille, Chase, and Kuderer

Read first time 02/03/17. Referred to Committee on Health Care.

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) All long-term care workers who are licensed on the effective  
16 date of this section must complete the training by the time of their  
17 next license renewal or August 1, 2018, whichever comes later;

18 (b) All long-term care workers who become licensed after the  
19 effective date of this section must complete the training by the time  
20 of their first license renewal;

1 (c) After completing the training, long-term care workers are not  
2 required to take the training again until the training partnership  
3 makes changes to the curriculum. If the training is changed, all  
4 long-term care workers must take the new curriculum before the end of  
5 the long-term care worker's next renewal period.

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

9 ~~((+3))~~ (4) Unless voluntarily certified as a home care aide  
10 under chapter 18.88B RCW, subsections (1) and (2) of this section  
11 ~~((does))~~ do not apply to:

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

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

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

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

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

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

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

28 (b) Requires comprehensive instruction by qualified instructors.

29 ~~((+5))~~ (6) Individual providers under RCW 74.39A.270 shall be  
30 compensated for training time required by this section.

31 ~~((+6))~~ (7) The department of health shall adopt rules to  
32 implement subsections (1) and (2) of this section.

33 ~~((+7))~~ (8) The department shall adopt rules to implement  
34 subsection ~~((+2))~~ (3) of this section.

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

37 (1) Adult family home licensees must complete one hour of  
38 cultural competency training relating to issues relating to the LGBTQ  
39 population. The department must approve the training program required

1 by this section and develop a form licensees may use for self-  
2 reporting this requirement.

3 (2) The training required by this section must be completed as  
4 follows:

5 (a) All adult family homeowners or operators who are licensed on  
6 the effective date of this section must complete the training by the  
7 time of the home's next license renewal or August 1, 2018, whichever  
8 comes later;

9 (b) All adult family homeowners or operators who become licensed  
10 after the effective date of this section must complete the training  
11 by the time of their first license renewal;

12 (c) After completing the training, adult family homeowners or  
13 operators are not required to take the training again until the  
14 department, in coordination with the training partnership, determines  
15 that the curriculum needs to be updated. If the training is changed,  
16 all adult family homeowners or operators must take the new curriculum  
17 before the end of their license's renewal period.

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

20 (1) Assisted living facility licensees must complete one hour of  
21 cultural competency training relating to issues relating to the LGBTQ  
22 population. The department must approve the training program required  
23 by this section and develop a form licensees may use for self-  
24 reporting this requirement.

25 (2) The training required by this section must be completed as  
26 follows:

27 (a) All assisted living facility owners or operators who are  
28 licensed on the effective date of this section must complete the  
29 training by the time of the facility's next license renewal or August  
30 1, 2018, whichever comes later;

31 (b) All assisted living facility owners or operators who become  
32 licensed after the effective date of this section must complete the  
33 training by the time of their first license renewal;

34 (c) After completing the training, assisted living facility  
35 owners or operators are not required to take the training again until  
36 the department, in coordination with the training partnership,  
37 determines that the curriculum needs to be updated. If the training  
38 is changed, all assisted living facility owners or operators must

1 take the new curriculum before the end of their license's renewal  
2 period.

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

5 (1) Nursing home licensees must complete one hour of cultural  
6 competency training relating to issues relating to the LGBTQ  
7 population. The department must approve the training program required  
8 by this section and develop a form licensees may use for self-  
9 reporting this requirement.

10 (2) The training required by this section must be completed as  
11 follows:

12 (a) All nursing homeowners or operators who are licensed on the  
13 effective date of this section must complete the training by the time  
14 of the home's next license renewal or August 1, 2018, whichever comes  
15 later;

16 (b) All nursing homeowners or operators who become licensed after  
17 the effective date of this section must complete the training by the  
18 time of their first license renewal;

19 (c) After completing the training, nursing homeowners or  
20 operators are not required to take the training again until the  
21 department, in coordination with the training partnership, determines  
22 that the curriculum needs to be updated. If the training is changed,  
23 all nursing homeowners or operators must take the new curriculum  
24 before the end of their license's renewal period.

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