

HOUSE BILL REPORT

HB 1969

As Reported by House Committee On:

Health Care & Wellness
Appropriations

Title: An act relating to expanding the definition of family member for individual providers.

Brief Description: Expanding the definition of family member for individual providers.

Sponsors: Representatives Alvarado, Ramos, Senn, Bateman, Reed, Simmons, Ormsby, Callan, Macri, Doglio, Fosse, Ortiz-Self, Lekanoff, Reeves, Riccelli, Pollet and Davis; by request of Department of Social and Health Services.

Brief History:

Committee Activity:

Health Care & Wellness: 1/10/24, 1/12/24 [DP];
Appropriations: 1/25/24, 2/5/24 [DP].

Brief Summary of Bill

- Broadens exemptions from home care aide certification requirements for long-term care workers caring for their child or parent by specifying that the relationship may exist through marriage or domestic partnership.
- Expands long-term care worker training requirements for individual providers caring for parents or children by specifying that the relationship may exist through marriage or domestic partnership.
- Removes the exemption from continuing education requirements for long-term care workers who are individual providers caring only for certain types of relatives.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 17 members: Representatives Riccelli, Chair;

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske, Caldier, Davis, Graham, Harris, Macri, Maycumber, Mosbrucker, Orwall, Simmons, Stonier, Thai and Tharinger.

Staff: Chris Blake (786-7392).

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 excludes employees of several types of health care and residential care facilities, as well as care providers not paid by the state or by a private agency or facility licensed to provide personal care services.

Long-term care workers must become certified as home care aides by the Department of Health (DOH) unless an exemption applies. To become certified, a long-term care worker must complete 75 hours of training, pass a certification examination, and pass state and federal background checks. The long-term care worker must be certified within 200 calendar days of the date of hire.

Among the persons exempted from home care aide certification requirements are long-term care workers who are individual providers that are either caring for their biological, step, or adoptive child or parent, or caring only for a sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild.

Family members who have been exempted from certification have reduced training requirements. Parents who are individual providers only for their developmentally disabled child must only complete 12 hours of training relevant to the needs of individuals with developmental disabilities. Long-term care workers who are being paid to care for their nondevelopmentally disabled child or for a parent, sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, must only complete 35 hours of required training and are exempt from continuing education requirements.

Summary of Bill:

The exemption from home care aide certification requirements for long-term care workers who are individual providers only for their child or parent is broadened by removing the limitations that the care recipient be the biological, step, or adoptive child or parent and specifies that the relationship may exist through marriage or domestic partnership. The exemption from home care aide certification for long-term care workers who are individual

providers providing up to 20 hours of care for one person in a calendar month applies to the provision of nonrespite care.

The 12-hour training requirement that applies to parents who are individual providers only for their developmentally disabled children is expanded by removing the limitations that the parents be the biological, step, or adoptive parents of the children and specifies that the relationship may exist through marriage or domestic partnership. The 35-hour training requirement that applies to long-term care workers who are individual providers only for their child or parent is broadened by removing the limitations that the care recipient be the biological, step, or adoptive child or parent and specifies that the relationship may exist through marriage or domestic partnership.

The exemption from the 12-hour annual continuing education requirement for long-term care workers who are individual providers caring only for a sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild is removed.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill contains multiple effective dates. Please see the bill.

Staff Summary of Public Testimony:

(In Support) Last session legislation passed to expand the family members who qualify for paid caregiving opportunities with lower training and certification requirements, but that bill did not include parents or children related by marriage or domestic partnership. This bill fixes that issue and another technical change and continues to expand access to care that is needed in communities. This bill aligns with the intent of last year's legislation and corrects a confusing scheme in which a cousin-in-law could be a paid provider, but not a mother-in-law.

Last year's bill exempted many family members from annual continuing education requirements, and this bill reinstates that. There needs to be access to training for family caregivers for the safety of the caregiver and the care recipient. Training allows family caregivers to be prepared to address challenges if the client's needs change. The state needs to do what it can to make caregiving a respected career that attracts and retains a high-quality workforce. Continuing education is designed to maintain and improve the skills and knowledge of caregivers to provide quality care which benefits the whole long-term care system. Continuing education addresses specific illnesses and conditions, as well as broader issues that caregivers face. This bill is important because it will make sure that family caregivers will have access to the same training as other caregivers.

(Opposed) None.

Persons Testifying: Representative Emily Alvarado, prime sponsor; Catherine Kinnaman, Department of Social and Health Services; Nikki Lee; and Mallory Hagel, Service Employees International Union 775 Benefits Group.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stokesbary, Stonier, Tharinger and Wilcox.

Staff: Bryan Way (786-7311).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care & Wellness:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains multiple effective dates. Please see the bill.

Staff Summary of Public Testimony:

(In support) Corrects a bill drafting error that excludes certain family caregivers, like in-laws, from lower training requirements and certification exemptions available to other family members.

(Opposed) None.

Persons Testifying: Bea Rector, Department of Social and Health Services.

Persons Signed In To Testify But Not Testifying: None.