
SENATE BILL 5278

State of Washington

68th Legislature

2023 Regular Session

By Senators L. Wilson, Fortunato, Lovick, Muzzall, Robinson, Shewmake, Torres, Warnick, and C. Wilson

Read first time 01/11/23. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to implementing audit recommendations to reduce
2 barriers to home care aide certification; amending RCW 18.88B.031;
3 creating new sections; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) Long-term care supports people who
6 need help meeting their health or personal care needs due to age or
7 disabling conditions. Maintaining an adequate workforce of long-term
8 care workers is critical to the system.

9 (2) Current law requires that home care aides complete required
10 training and pass a test to become certified. A 2022 performance
11 audit found that many home care aide applicants faced barriers in
12 scheduling the test, challenges getting to the test site, and often
13 delays of months between completing training and taking the test.
14 Barriers and inefficiencies in this process were cited as a primary
15 reason for many applicants dropping out prior to becoming certified.

16 (3) The legislature finds that improvements in this process and
17 the reduction of barriers are necessary to ensure an adequate home
18 care workforce.

19 **Sec. 2.** RCW 18.88B.031 and 2012 c 164 s 304 are each amended to
20 read as follows:

1 (1) Except as provided in RCW 18.88B.041 and subject to the other
2 requirements of this chapter, to be certified as a home care aide, a
3 long-term care worker must successfully complete the training
4 required under RCW 74.39A.074(1) and a certification examination. Any
5 long-term care worker failing to make the required grade for the
6 examination may not be certified as a home care aide.

7 (2) The department, in consultation with consumer and worker
8 representatives, shall ~~((develop))~~ either prepare, grade, and
9 administer, or determine the nature of and supervise the grading and
10 administration of, a home care aide certification examination to
11 evaluate whether an applicant possesses the skills and knowledge
12 necessary to practice competently. ~~((Except as provided by RCW~~
13 ~~18.88B.041(1)(a)(ii), only those who have completed the training~~
14 ~~requirements in RCW 74.39A.074(1) shall be eligible to sit for this~~
15 ~~examination.~~

16 ~~(3) The examination shall include both a skills demonstration and~~
17 ~~a written or oral knowledge test. The examination papers, all grading~~
18 ~~of the papers, and records related to the grading of skills~~
19 ~~demonstration shall be preserved for a period of not less than one~~
20 ~~year. The department shall establish rules governing the number of~~
21 ~~times and under what circumstances individuals who have failed the~~
22 ~~examination may sit for the examination, including whether any~~
23 ~~intermediate remedial steps should be required.~~

24 ~~(4) All examinations shall be conducted by fair and wholly~~
25 ~~impartial methods. The certification examination shall be~~
26 ~~administered and evaluated by the department or by a contractor to~~
27 ~~the department that is neither an employer of long-term care workers~~
28 ~~or a private contractor providing training services under this~~
29 ~~chapter.~~

30 ~~(5))~~ (3) The department shall adopt rules to implement this
31 section.

32 NEW SECTION. **Sec. 3.** (1) The department of health, in
33 consultation with the department of social and health services and
34 other relevant participants, shall:

35 (a) Devise a system that reduces delays between training and
36 testing for home care aides that includes the following:

37 (i) Developing and implementing a plan to integrate testing into
38 training that allows applicants to test at the same location where
39 they train;

1 (ii) Allowing applicants to schedule tests during training to
2 facilitate testing shortly after completing training;

3 (iii) Allowing remote testing within home care aide training
4 programs immediately or shortly after completion of the program; and

5 (iv) Determining the benefits and costs of having home care aide
6 training programs authorize applicants to test instead of the
7 department of health;

8 (b) Examine existing challenges related to a lack of testing
9 sites and develop a plan, including an estimation of costs, to expand
10 testing sites, which shall include the following considerations:

11 (i) Applicant travel time and availability of testing for
12 comparable professions;

13 (ii) How many test sites are needed, where these sites should be
14 located, and the best way to establish appropriate partnerships that
15 can lead to new test sites;

16 (iii) How often test sites should be available to applicants; and

17 (iv) Whether there are areas of the state where a stipend for
18 travel expenses would be beneficial and appropriate protocols for
19 travel stipends;

20 (c) Establish performance measures and data collection criteria
21 to monitor the overall length of time between training and testing
22 and the number of available test sites;

23 (d) Establish accountability mechanisms for the overall training
24 to testing process; and

25 (e) Establish performance-based contracts for vendors who
26 administer the tests that include the following:

27 (i) All key performance measures expected, including a definition
28 of what sufficient access to test sites entails; and

29 (ii) Detailed vendor costs.

30 (2) The department of health, in consultation with the department
31 of social and health services and other relevant participants, shall
32 submit to the governor and the appropriate committees of the
33 legislature a preliminary report no later than December 1, 2023, and
34 a final report no later than June 30, 2024, that includes a summary
35 of the work conducted in accordance with the requirements specified
36 in subsection (1) of this section and any recommendations for
37 improvement.

38 (3) This section expires July 30, 2024.

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