S-1099.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5672**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Muzzall, Cleveland, Chapman, Dozier, and Nobles

AN ACT Relating to delaying the home care aide certification requirements; amending RCW 18.88B.021; adding a new section to chapter 18.88B RCW; and providing an expiration date.

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

NEW SECTION. **Sec.**  A new section is added to chapter 18.88B RCW to read as follows:

(1) The department shall adopt rules to allow long-term care workers additional time to become certified as the office of the state auditor completes their biennial performance audit under section 201, chapter 1, Laws of 2012 (Initiative Measure No. 1163), on the training requirements and competency assessments for home care aides and shall provide recommendations for the consideration of the legislature. Rules adopted under this section must be effective until 90 days after adjournment of the session proceeding the publishing of the 2026 biennial performance audit under section 201, chapter 1, Laws of 2012 (Initiative Measure No. 1163).

(2) This section expires December 31, 2027.

**Sec.**  RCW 18.88B.021 and 2023 c 424 s 2 are each amended to read as follows:

(1) Beginning January 7, 2012, except as provided in RCW 18.88B.041 and section 1 of this act, any person hired as a long-term care worker must be certified as a home care aide as provided in this chapter within 200 calendar days after the date of hire. A long-term care worker who is not currently certified or eligible to reactivate an expired credential shall receive a new date of hire when beginning work with either a new employer or returning to a former employer after prior employment has ended.

(2)(a) No person may practice or, by use of any title or description, represent himself or herself as a certified home care aide without being certified as provided in this chapter.

(b) This section does not prohibit a person: (i) From practicing a profession for which the person has been issued a license or which is specifically authorized under this state's laws; or (ii) who is exempt from certification under RCW 18.88B.041 from providing services as a long-term care worker.

(c) In consultation with consumer and worker representatives, the department shall, by January 1, 2013, establish by rule a single scope of practice that encompasses both long-term care workers who are certified home care aides and long-term care workers who are exempted from certification under RCW 18.88B.041.

(3) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete certification as required by this section, the department may adopt rules to allow long-term care workers additional time to become certified.

(a) Rules adopted under this subsection (3) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that additional time for long-term care workers to become certified is no longer necessary, whichever is later. Once the department determines a rule adopted under this subsection (3) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of certification compliance with subsection (1) of this section and rules adopted under this subsection (3) and provide the legislature with a report.

(4) The department shall adopt rules to implement this section.

**--- END ---**