
HOUSE BILL 1521

State of Washington

69th Legislature

2025 Regular Session

By Representatives Rule, Callan, Taylor, Hunt, Davis, Reed, Simmons, Springer, Hill, Thai, and Timmons

Read first time 01/22/25. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to supporting caregivers who provide complex care
2 services to children with heightened medical needs; and adding a new
3 section to chapter 74.09 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.09
6 RCW to read as follows:

7 (1) Beginning September 1, 2026, the authority shall require or
8 provide payment to a home health agency for complex care services as
9 a component of the private duty nursing benefit when provided to an
10 enrollee under 18 years old receiving private duty nursing in a
11 medical assistance program under this chapter when:

12 (a) The caregiver providing the complex care services is a
13 parent, guardian, family member, or other close association that is
14 the equivalent of a family relation of the enrollee;

15 (b) The caregiver has successfully completed at least 75 total
16 hours of instruction offered by a home care agency that is accredited
17 by an organization recognized by the authority under subsection (2)
18 of this section and has been determined to be competent to provide
19 complex care services;

20 (c) The complex care services are provided by the caregiver as
21 delegated by a registered nurse licensed under chapter 18.79 RCW; and

1 (d) The caregiver providing the complex care services is employed
2 by a home health agency licensed under chapter 70.126 RCW with a
3 provider agreement with the authority or a managed care organization.

4 (2) The authority shall recognize accrediting organizations that
5 it determines have standards that allow home health agencies to
6 properly train caregivers under subsection (1)(b) of this section to
7 safely provide complex care services in accordance with the nursing
8 aide training and competency evaluation program standards established
9 under 42 C.F.R. Secs. 483.151 through 154 and 42 C.F.R. Sec. 484.80.

10 (3) A caregiver providing complex care services who has
11 successfully completed the training may change employers without
12 having to repeat the training course required under subsection (1)(b)
13 of this section.

14 (4) The home health agency that employs the caregiver providing
15 complex care services under subsection (1) of this section must
16 assume all costs of training the caregiver and may not require the
17 caregiver to reimburse the home health agency for the cost of the
18 training.

19 (5) When determining an enrollee's eligibility for complex care
20 services, the authority may only consider the child's income and not
21 the income of any other person living in the household.

22 (6) The authority shall seek a state plan amendment or waiver, as
23 applicable, from the federal centers for medicare and medicaid
24 services to implement this section.

25 (7) By September 1, 2029, the authority must submit a report to
26 the governor and the committees of the legislature with jurisdiction
27 over health policy matters. The report must assess the viability of
28 the complex care services payment program established in this
29 section, including data analyzing the effectiveness of the program.
30 The authority must use available data and not require home health
31 agencies to submit data necessary for creating the report.

32 (8) For the purposes of this section, "complex care services"
33 means the provision of the care services by the parent, guardian,
34 family member, or other close association that is the equivalent of a
35 family relation of the enrollee to a person under 18 years old who is
36 receiving private duty nursing when provided under the direction of a
37 registered nurse licensed under chapter 18.79 RCW. "Complex care
38 services" may include patient transfer; patient positioning; patient
39 ambulation; patient feeding; personal care; catheter care; medication
40 administration; tracheostomy care; enteral care, therapy, and feeding

1 administration; formula preparation; comprehensive respiratory care,
2 chest physiotherapy, and cough assistance; and other tasks approved
3 by the authority.

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