
SUBSTITUTE HOUSE BILL 1926

State of Washington

69th Legislature

2025 Regular Session

By House Postsecondary Education & Workforce (originally sponsored by Representatives Timmons, Schmick, Pollet, Shavers, and Macri)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to training and testing of home care aides;
2 amending RCW 18.88B.021 and 18.88B.031; and adding a new section to
3 chapter 18.88B RCW.

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 18.88B
5 RCW to read as follows:

6 The department shall collaborate with the department of social
7 and health services to work with stakeholders to develop a plan to
8 integrate testing into the home care aide training process and
9 conduct necessary rule making using a phased transition approach that
10 prioritizes community and facility-based training programs that are
11 already equipped and staffed to provide testing.

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

14 (1) (~~Beginning January 7, 2012, except~~) Except as provided in
15 RCW 18.88B.041, any person hired as a long-term care worker must be
16 certified as a home care aide as provided in (~~this chapter within~~
17 ~~200 calendar days after the date of hire~~) rules established by the
18 department in consultation with the department of social and health
19 services. A long-term care worker who is not currently certified or
20 eligible to reactivate an expired credential shall receive a new date

1 of hire when beginning work with either a new employer or returning
2 to a former employer after prior employment has ended.

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

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

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

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

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

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

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

34 **Sec. 3.** RCW 18.88B.031 and 2023 c 323 s 2 are each amended to
35 read as follows:

36 (1) Except as provided in RCW 18.88B.041 and subject to the other
37 requirements of this chapter, to be certified as a home care aide, a
38 long-term care worker must successfully complete the training
39 required under RCW 74.39A.074(1) and a certification examination. Any

1 long-term care worker failing to make the required grade for the
2 examination may not be certified as a home care aide.

3 (2) The department, in consultation with consumer and worker
4 representatives, shall develop a home care aide certification
5 examination to evaluate whether an applicant possesses the skills and
6 knowledge necessary to practice competently.

7 (3) The examination or series of examinations shall include both
8 a skills demonstration and a written or oral knowledge test. The
9 department shall establish rules governing the number of times and
10 under what circumstances individuals who have failed the examination
11 may sit for the examination, including whether any intermediate
12 remedial steps should be required. The skills demonstration, the
13 knowledge test, or both, may be administered throughout training, on
14 the last day of training, or after a student's formal training. An
15 applicant may apply to take the examination during or after training.
16 An applicant may not sit for any part of the examination prior to
17 completing the part of the training associated with that part of the
18 examination. The examination or series of examinations may be
19 conducted at local training or testing sites around the state. For
20 the purpose of reducing the travel time for applicants, the
21 department shall explore alternative testing options such as remote
22 testing.

23 (4) (a) All examinations shall be conducted by fair and wholly
24 impartial methods. All examinations shall be available to be
25 administered in the preferred language for the applicant taking the
26 examination. The certification examination shall be administered and
27 evaluated by:

28 (i) The department;

29 (ii) A contractor to the department that is not an employer of
30 long-term care workers unless the employer is a department of social
31 and health services approved instructor and has met the department
32 standards for administering the examination; or

33 (iii) A high school or community college that has met department
34 standards for administering the examination.

35 (b) The department shall conduct an annual evaluation of the
36 examination results of applicants who complete the examination in (~~a~~
37 ~~language other than English~~) all languages. If the department finds
38 that applicants taking the examination in a particular language fail
39 at a disproportionately higher rate than other examination takers,

1 the department shall conduct a review of the translation to ensure
2 that it is accurate and understandable.

3 (5) Subject to the availability of amounts appropriated for this
4 specific purpose, home care aide testing shall be available in
5 qualified facility and community-based home care aide training
6 programs by July 1, 2028, with testing conducted by facility and
7 community trainers contracted with the department of social and
8 health services or a training partnership affiliate. If the
9 department has any contracts for personal care services with any
10 individual providers represented by an exclusive bargaining
11 representative, all home care aide testing required under this
12 chapter for those individual providers must be provided by a training
13 partnership affiliate.

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

15 (7) For purposes of this section, "training partnership
16 affiliate" means a Washington nonprofit corporation that will
17 contract with the department of social and health services or its
18 designee to provide home care aide testing required under this
19 chapter.

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