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**SENATE BILL 6359**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Short and Randall

1 AN ACT Relating to creating regulation exemptions for rural  
2 health clinics providing services in a designated home health  
3 shortage area; and amending RCW 70.127.040.

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

5 **Sec. 1.** RCW 70.127.040 and 2012 c 10 s 54 are each amended to  
6 read as follows:

7 The following are not subject to regulation for the purposes of  
8 this chapter:

9 (1) A family member providing home health, hospice, or home care  
10 services;

11 (2) A person who provides only meal services in an individual's  
12 permanent or temporary residence;

13 (3) An individual providing home care through a direct agreement  
14 with a recipient of care in an individual's permanent or temporary  
15 residence;

16 (4) A person furnishing or delivering home medical supplies or  
17 equipment that does not involve the provision of services beyond  
18 those necessary to deliver, set up, and monitor the proper  
19 functioning of the equipment and educate the user on its proper use;

20 (5) A person who provides services through a contract with a  
21 licensed agency;

- 1 (6) An employee or volunteer of a licensed agency who provides  
2 services only as an employee or volunteer;
- 3 (7) Facilities and institutions, including but not limited to  
4 nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41  
5 RCW, adult family homes under chapter 70.128 RCW, assisted living  
6 facilities under chapter 18.20 RCW, developmental disability  
7 residential programs under chapter 71A.12 RCW, other entities  
8 licensed under chapter 71.12 RCW, or other licensed facilities and  
9 institutions, only when providing services to persons residing within  
10 the facility or institution;
- 11 (8) Local and combined city-county health departments providing  
12 services under chapters 70.05 and 70.08 RCW;
- 13 (9) An individual providing care to ill individuals, individuals  
14 with disabilities, or vulnerable individuals through a contract with  
15 the department of social and health services;
- 16 (10) Nursing homes, hospitals, or other institutions, agencies,  
17 organizations, or persons that contract with licensed home health,  
18 hospice, or home care agencies for the delivery of services;
- 19 (11) In-home assessments of an ill individual, an individual with  
20 a disability, or a vulnerable individual that does not result in  
21 regular ongoing care at home;
- 22 (12) Services conducted by and for the adherents of a church or  
23 religious denomination that rely upon spiritual means alone through  
24 prayer for healing in accordance with the tenets and practices of  
25 such church or religious denomination and the bona fide religious  
26 beliefs genuinely held by such adherents;
- 27 (13) A medicare-approved dialysis center operating a medicare-  
28 approved home dialysis program;
- 29 (14) A person providing case management services. For the  
30 purposes of this subsection, "case management" means the assessment,  
31 coordination, authorization, planning, training, and monitoring of  
32 home health, hospice, and home care, and does not include the direct  
33 provision of care to an individual;
- 34 (15) Pharmacies licensed under RCW 18.64.043 that deliver  
35 prescription drugs and durable medical equipment that does not  
36 involve the use of professional services beyond those authorized to  
37 be performed by licensed pharmacists pursuant to chapter 18.64 RCW  
38 and those necessary to set up and monitor the proper functioning of  
39 the equipment and educate the person on its proper use;

1           (16) A volunteer hospice complying with the requirements of RCW  
2 70.127.050;  
3           (17) A person who provides home care services without  
4 compensation; (~~and~~)  
5           (18) Nursing homes that provide telephone or web-based  
6 transitional care management services; and  
7           (19) A rural health clinic providing health services in a home  
8 health shortage area as declared by the department pursuant to 42  
9 C.F.R. Sec. 405.2416. The rural health clinic is not subject to  
10 certificate of need review under chapter 70.38 RCW.

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