

**WAC 246-335-310 Definitions—General.** The definitions in this section apply throughout this chapter unless the context clearly indicates otherwise:

(1) "Activities of daily living" or "ADL" means routine activities performed around the home or in the community and includes:

(a) "Ambulation" means how an individual moves between locations in their immediate living environment and how they move to and return from more distant areas. Assistance with ambulation includes supervising or guiding the client or patient when walking alone or with the help of a mechanical device such as a walker, assisting with difficult parts of walking such as climbing stairs, supervising or guiding the client or patient if they are able to propel a wheelchair, pushing of the wheelchair, and providing constant or standby physical assistance to the client or patient if totally unable to walk alone or with a mechanical device.

(b) "Bathing" means how an individual takes a full-body bath or shower, sponge bath, and transfers in and out of the tub or shower. Assistance with bathing includes supervising or guiding the client or patient to bathe, assisting the client or patient with difficult tasks such as getting in or out of the tub or shower, washing their back and other hard to reach areas, and completely bathing the client or patient if they are totally unable to wash themselves.

(c) "Body care" means how an individual performs applications of dressings and ointments or lotions to their body, trims their toenails, and applies lotion to their feet. Assistance with body care includes general skin care and the application of over-the-counter ointments or lotions. Body care excludes foot care for clients or patients who are diabetic or have poor circulation, and changing bandages or dressings when sterile procedures are required.

(d) "Dressing" means how an individual puts on, fastens, and takes off all items of clothing, including donning or removing a prosthesis. Assistance with dressing includes supervising or cueing the client or patient to dress and assisting them with difficult tasks such as putting on socks, pants, shoes, and fastening, zipping, or tying clothing related items.

(e) "Eating" means how an individual eats and drinks, regardless of skill. Assistance with eating includes supervising or guiding the client or patient when they are able to feed themselves, assisting with difficult tasks such as cutting food or buttering bread, and orally feeding the client or patient when they are unable to feed themselves.

(f) "Medication management" means how an individual ingests or applies medications or herbal supplements. Assistance with medication management includes reminding, coaching, and handing medication containers to the client or patient.

(g) "Personal hygiene" means how an individual maintains their personal hygiene. Assistance with personal hygiene includes helping the client or patient with combing hair, brushing teeth, shaving, applying makeup, washing and drying face, trimming finger nails, applying nail polish, and menses care.

(h) "Positioning" means how an individual moves to and from a lying position, turns side to side, and positions their body while in bed, in a recliner, or other type of furniture. Assistance with positioning includes helping the client or patient to assume a desired position, helping with turning, and setting up for the client or patient to perform exercises or active range of motion. Positioning assistance

may also include passive range of motion to maintain joint flexibility or prevent complications, such as contractures and pressure sores.

(i) "Toileting" means how an individual uses the toilet room, commode, bedpan, or urinal. Assistance with toileting includes helping the client or patient to and from the bathroom, assisting with bedpan routines, using incontinent briefs, cleaning after elimination, and assisting the client or patient on and off the toilet.

(j) "Transfer" means how an individual moves between surfaces such as to and from a bed, chair, wheelchair, or standing position. Assistance with transferring includes helping the client or patient with getting in and out of a bed or wheelchair or on and off the toilet or in and out of the bathtub. Transfer includes supervising or guiding the client or patient when they are able to transfer, providing steadying assistance, and helping the client or patient when they are able to assist in their own transfers. This does not include transfers when the client or patient is unable to assist in their own transfer or needs assistive devices unless specific training or skills verification has occurred consistent with agency policies and procedures.

(2) "Administrator" means an individual responsible for managing the operation of an agency.

(3) "Advanced directive" means a legal document in which a person specifies what actions should be taken for their health if they are no longer able to make decisions for themselves because of illness or incapacity. Advanced directives are not intended to guide the actions of emergency medical personnel.

(4) "Area agencies on aging" or "AAA" means an agency established under 42 U.S.C. chapter 35 and designated by the department of social and health services (DSHS) to contract for home care services on behalf of DSHS.

(5) "Authenticated" means a written signature or unique identifier verifying accuracy of information.

(6) "Back-up care" means substitute care for a client or patient arranged by the agency's administration when caregiving staff, aides, or health services cannot be provided as scheduled.

(7) "Client abandonment" or "patient abandonment" occur when an in-home services agency establishes a care relationship with a client or patient, as evidenced by signed admission forms and plan of care, and the agency ends the care relationship without referring to an appropriate alternative agency or caregiver, or not following applicable discharge requirements in WAC 246-335-420, 246-335-520, and 246-335-620.

(8) "Clinical judgment" means an interpretation or conclusion about a client or patient's needs, concerns, or health problems by a physician licensed under chapter 18.57 or 18.71 RCW, a podiatric physician and podiatric surgeon licensed under chapter 18.22 RCW, an advanced registered nurse practitioner licensed under chapter 18.79 RCW, a registered nurse licensed under chapter 18.79 RCW, a physical therapist licensed under chapter 18.74 RCW, an occupational therapist licensed under chapter 18.59 RCW, or a speech and language therapist licensed under chapter 18.35 RCW. Clinical judgment includes the decision to take action or not, use or modify standard approaches, or improvise new ones as deemed appropriate by the client or patient's response.

(9) "Contractor" means a person who is self-employed who enters into agreement with an in-home services agency to provide client or patient care services or equipment.

- (10) "Department" means the Washington state department of health.
- (11) "Directed plan of correction" means a plan developed by the department, based on a current statement of deficiencies and a licensee's survey history, which specifies the corrective actions the licensee must take and time frames in which those actions are to be completed.
- (12) "Document" means the process of recording information relating to client or patient care verified by signature or unique identifier, title, and date.
- (13) "DSHS" means the Washington state department of social and health services.
- (14) "Family" means individuals who are important to, and designated by, the patient or client and who need not be relatives.
- (15) "Health care professional" means an individual who provides health or health-related services within the individual's authorized scope of practice and who is licensed, registered or certified under Title 18 RCW.
- (16) "In-home services agency" means a person licensed to administer or provide home health, home care, hospice services, or hospice care center services directly or through a contract arrangement to individuals in a place of temporary or permanent residence.
- (17) "In-home services category" means home care, home health, hospice, or hospice care center services.
- (18) "Instrumental activities of daily living" or "IADL" means routine activities performed around the home or in the community and includes:
- (a) "Meal preparation" means how an individual prepares their meals. Assistance with meal preparation includes planning meals for clients or patients, cooking, assembling ingredients, setting out food, utensils, and cleaning up after meals.
  - (b) "Ordinary housework" means how an individual performs ordinary work around the house. Assistance with ordinary housework includes washing dishes and cookware, dusting, vacuuming, mopping, making bed, tidying up, laundry, taking out garbage, or other like activities.
  - (c) "Essential shopping" means how an individual completes shopping tasks to meet their health and nutritional needs. Assistance with essential shopping includes trips in the local area to shop for food, medical necessities and household items required specifically for a client or patient's health, maintenance, or well-being. Shopping assistance can be done with a client or patient or on their behalf. Within the context of IADL services, essential shopping does not include client or patient transfer assistance.
  - (d) "Wood supply" means how an individual supplies their home with wood when wood is used as the sole source of fuel for heating or cooking. Assistance with wood supply includes splitting, stacking, carrying wood, or other like activities.
  - (e) "Travel to medical services" means how an individual travels by vehicle, bus, or taxi to a physician's office or clinic in the local area to obtain medical diagnosis or treatment. Assistance with travel to medical services includes driving the client or patient yourself, or traveling as a support person in a personal vehicle, bus, or taxi. Within the context of IADL services, travel to medical services does not include client or patient transfer assistance.
  - (f) "Managing finances" means how an individual manages their personal finances. Assistance with managing finances includes helping

the client or patient to pay bills, balance checkbook, or other like activities.

(g) "Telephone use" means how an individual makes and receives telephone calls and text messages. Assistance with telephone use includes bringing a phone to the client or patient, helping with dialing numbers, helping with sending and retrieving text messages, helping with general phone operation, or other like activities.

(19) "Licensee" means the person to whom the department issues the in-home services license.

(20) "Managed care plan" means a plan controlled by the terms of the reimbursement source.

(21) "Mandatory reporter" means an administrator, authorizing practitioner, director of clinical services, health care professional, home care aide, home health aide, medical director, licensed nurse, social worker, supervisor of direct care services, therapist, therapy assistant, volunteer, or other individuals associated with an in-home services agency.

(22) "Medication self-administration with assistance" means reminding or coaching the client or patient to take their medication, handing the medication container to the client or patient, opening the medication container, using an enabler, or placing the medication in the hand of the client or patient, along with other assistance, as defined by the pharmacy quality assurance commission in chapter 246-888 WAC.

(23) "Minimum health care credentialing" or "minimum credentialing" means the minimum credential level necessary to provide safe and quality care to adequately meet the care needs of clients and patients:

(a) For home care agencies, minimum health care credentialing is a certified home care aide or higher credential. Minimum health care credentialing is not required for long-term care workers who meet the exemption criteria in chapter 246-980 WAC;

(b) For home health and hospice agencies, minimum health care credentialing is a certified nursing assistant or higher level health care credential necessary to meet patient care needs.

(24) "Nonmedical services" means ADL and IADL tasks which do not require clinical judgment and are ordinarily performed by the client or patient, which if not for the client or patient's functional, physical, or mental limitation(s), would be completed independently by the client or patient, or family.

(25) "Nursing assistant certified" means an individual certified as a nursing assistant under chapter 18.88A RCW.

(26) "Nursing assistant registered" means an individual registered as a nursing assistant under chapter 18.88A RCW.

(27) "Nurse delegation" means the process, as described in RCW 18.79.260 (3)(e), WAC 246-840-910 through 246-840-970, and 246-980-130, a registered nurse takes to transfer the performance of selected nursing tasks in selected situations to competent nursing assistants or home care aides. The registered nurse delegating the task retains the responsibility and accountability for the nursing care of the client or patient. Except for the delegation of the administration of insulin by injection for the purpose of caring for individuals with diabetes, nurse delegation does not include delegating the administration of medications by injection, sterile procedures, and central line maintenance.

(28) "Occupational exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other poten-

tially infectious materials that may result from the performance of the employee's duties.

(29) "One-time visit" means a single visit by one individual to provide home care, home health, or hospice services with no predictable need for continuing visits, not to exceed twenty-four hours.

(30) "On-site" means the location where client or patient services are provided.

(31) "Person" means any individual, business, firm, partnership, corporation, company, association, joint stock association, public or private organization, or the legal successor thereof that employs or contracts with two or more individuals.

(32) "Personnel" means individuals employed and compensated by the licensee.

(33) "Plan of care" means a written document based on assessment of individual needs that identifies services to meet these needs.

(34) "Plan of correction" means a licensee authored document based on a statement of deficiencies, and includes specific corrective actions that must be taken to correct identified deficiencies to include, but not be limited to:

(a) How the deficiency will be or was corrected;

(b) What measures or monitors will be put in place to ensure the deficient practice does not recur;

(c) Who is responsible for the correction; and

(d) When each deficiency will be corrected.

(35) "Physician orders for life sustaining treatment" or "POLST" means a set of medical orders intended to guide emergency medical personnel in the initial treatment for persons with advanced life limiting illness based on their current medical condition and goals. The POLST form is not a living will or advanced directive but a physician order that communicates the details of those documents.

(36) "Quality improvement" means reviewing and evaluating appropriateness and effectiveness of services provided under this chapter.

(37) "Range of motion" or "ROM" means the extent or limit to which a part of the body can be moved around a joint or a fixed point; the totality of movement a joint is capable of doing. ROM exercises are active or passive movements to assess, maintain, or restore the motion of joints in the body. Active and passive ROM are defined as:

(a) "Active range of motion" means independent exercises performed by an individual to restore or maintain their joint function to its optimal range (may require cuing or reminders by an agency worker).

(b) "Passive range of motion" means exercises performed by a trained individual to restore or maintain an individual's joint function to its optimal range when they are unable to independently move their joint. Passive ROM involves performing movements to each joint only to the extent the joint is able to move. Passive ROM, for either restoration or maintenance purposes, may be performed by home health agencies, hospice agencies, and hospice care centers following the established program. Passive range of motion, for maintenance purposes only, may be performed by home care agencies.

(38) "Record" means all documented information, regardless of its characteristics, media, physical form, and the manner in which it is recorded or stored.

(39) "Service area" means the geographic area in which the department has given prior approval to a licensee to provide home health, hospice, or home care services.

(40) "Statement of deficiencies" means a survey or investigation report completed by the department identifying one or more violations of chapter 70.127 RCW or this chapter. The report clearly identifies the specific law or rule that has been violated along with a description of the reasons for noncompliance.

(41) "Survey" means an inspection conducted by the department to evaluate and monitor an agency's compliance with this chapter.

(42) "Vital signs" means clinical measurements, specifically pulse rate, temperature, respiration rate, and blood pressure that indicate the state of a client or patient's essential body functions.

(43) "Volunteer" means an individual who provides direct care to a client or patient and who:

(a) Is not compensated by the in-home services licensee;

(b) May be reimbursed for personal mileage incurred to deliver services; and

(c) Is considered a mandatory reporter.

Volunteers providing services to vulnerable persons are considered permissive reporters and are subject to the mandatory reporting laws in chapters 74.34 and 26.44 RCW.

(44) "Vulnerable person" means a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself;

(b) Found incapacitated under chapter 11.88 RCW;

(c) Who has a developmental disability as defined under RCW 71A.10.020;

(d) Admitted to any facility; or

(e) Receiving services from home care, home health, or hospice agencies licensed or required to be licensed under chapter 70.127 RCW.

[Statutory Authority: RCW 70.127.120 and 43.70.250. WSR 18-06-093, § 246-335-310, filed 3/6/18, effective 4/6/18.]