

SENATE BILL REPORT

HB 2646

As Reported by Senate Committee On:
Health Care, February 27, 2014

Title: An act relating to certification exemptions and training requirements for individual providers who work less than twenty hours per month for a single client, or who only provide limited respite services.

Brief Description: Providing certification exemptions and training requirements for certain individual provider long-term care workers.

Sponsors: Representatives Cody, Tharinger, Harris, Senn, Morrell and Freeman; by request of Department of Social and Health Services.

Brief History: Passed House: 2/17/14, 96-0.

Committee Activity: Health Care: 2/27/14 [DPA, w/oRec].

SENATE COMMITTEE ON HEALTH CARE

Majority Report: Do pass as amended.

Signed by Senators Becker, Chair; Pedersen, Ranking Member; Angel, Bailey and Parlette.

Minority Report: That it be referred without recommendation.

Signed by Senators Dammeier, Vice Chair; Cleveland and Keiser.

Staff: Kathleen Buchli (786-7488)

Background: Long-term care (LTC) workers provide care to elderly and disabled clients, many of whom are eligible for publicly funded services through the Department of Social and Health Services (DSHS). These workers provide personal care assistance, i.e. bathing, eating, toileting, dressing, meal preparation, and household chores, to individuals with developmental disabilities and individuals with other LTC needs.

The services may be provided (1) by LTC workers employed in various regulated residential settings; or (2) in the client's home by individual providers who contract directly with DSHS or by agency providers who are employees of a licensed home care agency. A paid individual provider may be a relative or a household member, although the parent of a client

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who is a minor or the client's spouse may not be a paid individual provider under most programs.

The term LTC worker does not include persons employed in nursing homes, hospitals, hospice agencies, or adult day care or day health care centers.

Most LTC workers are required to complete 75 hours of basic training, and 12 hours of continuing education every year thereafter. Most LTC workers are also required to pass written and skill demonstration exams to obtain certification as a home care aides. Prior to July 1, 2014, an individual provider who provides 20 hours or less of care for one person in any calendar month is exempt from certification requirements for becoming a home care aide.

Summary of Bill (Recommended Amendments): Individual providers who provide 20 hours or less of care for one person in a calendar month and individual providers who only provide respite services and work less than 300 hours in a calendar year are exempt from the requirements that they be certified as home care aides and obtain 12 hours of continuing education every year. These individual providers must complete 35 hours of training within 120 days of becoming an individual provider.

EFFECT OF CHANGES MADE BY HEALTH CARE COMMITTEE (Recommended Amendments): Rather than providing an extension of the exemptions through July 1, 2016, individual providers who provide 20 hours or less of care for one person in a calendar month and individual providers who only provide respite services and work less than 300 hours in a calendar year are permanently exempt from the requirement that they be certified as a home care aide and the continuing education requirement. Rather than delaying training requirements, these individual providers must complete 35 hours of training within 120 days of becoming an individual provider.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: PRO: The current exemption from the training requirements will end in 2014 unless the bill passes. We did discuss a permanent exemption with the stakeholder group and they had no consensus to make it permanent. We want to make the training requirement workable and this allows us to continue our work. We are happy with the work that was completed in the interim. This will make it easier to recruit providers. If the bill passes, it will immediately help families. These providers do not need the training required of other providers. We need flexibility and we hope next session there will be a comprehensive solution. We are still in the stakeholder process and are working through solutions. This is an urgent fix for this year. We encourage you to pass the original bill without the striking amendment discussed in committee. If individual providers are not required to train, they will have to pay for their own training.

Persons Testifying: PRO: Audrey Adams, Parent of an adult with autism; Donna Patrick, Developmental Disabilities Council; Bea Rector, DSHS; Misha Werschkul, Service Employees International Union Healthcare 775NW.