

SSB 5700 - S AMD 595
By Senator Ranker

ADOPTED 02/12/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 74.39A.341 and 2015 c 152 s 3 are each amended to
4 read as follows:

5 (1) All long-term care workers shall complete twelve hours of
6 continuing education training in advanced training topics each year.
7 (~~This requirement applies beginning July 1, 2012.~~)

8 (2) Of the twelve hours of continuing education training required
9 by subsection (1) of this section, time must be allocated, as
10 established by the department in rule, to provide cultural competency
11 training on issues relating to the LGBTQ population as follows:

12 (a) Long-term care workers who are licensed on or after the
13 effective date of this section must complete the one-time training by
14 their next continuing education due date after December 31, 2019;

15 (b) After completing the one-time training, long-term care
16 workers are not required to take the one-time training again until
17 the department approves changes to the curriculum. If there are
18 approved changes in the curriculum based upon revised department
19 competencies, all long-term care workers must take the new curriculum
20 as set forth in the Washington Administrative Code.

21 (3) Completion of continuing education as required in this
22 section is a prerequisite to maintaining home care aide certification
23 under chapter 18.88B RCW.

24 (~~(3)~~) (4) Unless voluntarily certified as a home care aide
25 under chapter 18.88B RCW, subsection (1) of this section does not
26 apply to:

27 (a) An individual provider caring only for his or her biological,
28 step, or adoptive child;

29 (b) Registered nurses and licensed practical nurses licensed
30 under chapter 18.79 RCW;

31 (c) (~~Before January 1, 2016, a long-term care worker employed by~~
32 ~~a community residential service business;~~

1 ~~(d)~~) A person working as an individual provider who provides
2 twenty hours or less of care for one person in any calendar month; or

3 ~~((e))~~ (d) A person working as an individual provider who only
4 provides respite services and works less than three hundred hours in
5 any calendar year.

6 ~~((4))~~ (5) Only training curriculum approved by the department
7 may be used to fulfill the training requirements specified in this
8 section. The department shall only approve training curriculum that:

9 (a) Has been developed with input from consumer and worker
10 representatives; ~~((and))~~

11 (b) Requires comprehensive instruction by qualified instructors;
12 and

13 (c) For the one-time training described in subsection (2) of this
14 section, contributes to an evidence and outcome-based approach, and
15 meets the training's learning objectives that will be defined in
16 rule.

17 ~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be
18 compensated for training time required by this section.

19 ~~((6))~~ (7) The department of health shall adopt rules to
20 implement subsection (1) of this section.

21 ~~((7))~~ (8) The department shall adopt rules to implement
22 subsections (2) and (3) of this section.

23 NEW SECTION. Sec. 2. A new section is added to chapter 70.128
24 RCW to read as follows:

25 (1) Adult family home owners and resident managers must complete
26 a one-time department-approved cultural competency training relating
27 to the lesbian, gay, bisexual, transgender, questioning (LGBTQ)
28 population. The department must approve the training curriculum,
29 program, and instructors required by this section, and develop a form
30 home owners and resident managers may use for self-reporting
31 completion of this requirement.

32 (2) The training required by this section must be completed as
33 follows:

34 (a) Adult family home owners and resident managers of adult
35 family homes that are licensed on the effective date of this section
36 must complete the one-time training by the facility's next license
37 renewal after December 31, 2019;

38 (b) Adult family home owners and resident managers of adult
39 family homes that are licensed after the effective date of this

1 section must complete the training by the time of the facility's
2 first license renewal;

3 (c) Adult family home owners who work on-site of the facility
4 less than two days per license year are not required to complete the
5 training;

6 (d) After completing the one-time training, adult family home
7 owners and resident managers are not required to take the training
8 again until the department approves changes to the learning
9 objectives as established in the Washington Administrative Code. If
10 there are approved changes to the learning objectives, adult family
11 home owners, resident managers, and all long-term care workers, must
12 take a new training as set forth in the Washington Administrative
13 Code.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 18.20
15 RCW to read as follows:

16 (1) Assisted living facility owners and administrators must
17 complete a one-time department-approved cultural competency training
18 relating to the lesbian, gay, bisexual, transgender, questioning
19 (LGBTQ) population. The department must approve the training
20 curriculum, program, and instructors required by this section, and
21 develop a form facility owners and administrators may use for self-
22 reporting completion of this requirement.

23 (2) The training required by this section must be completed as
24 follows:

25 (a) Owners and administrators of assisted living facilities that
26 are licensed on the effective date of this section must complete the
27 one-time training by the time of the facility's next license renewal
28 after December 31, 2019;

29 (b) Owners and administrators of assisted living facilities that
30 become licensed after the effective date of this section must
31 complete the training by the time of the facility's first license
32 renewal;

33 (c) Assisted living facility owners who work on-site of the
34 facility less than two days per license year are not required to
35 complete the training;

36 (d) After completing the one-time training, assisted living
37 facility owners and administrators are not required to take the
38 training again until the department approves changes to the learning
39 objectives as established in the Washington Administrative Code. If

1 there are approved changes to the learning objectives, assisted
2 living facility owners, administrators, and all long-term care
3 workers, must take a new training as set forth in the Washington
4 Administrative Code.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.51
6 RCW to read as follows:

7 (1) Nursing home owners and administrators must complete a one-
8 time department-approved cultural competency training relating to the
9 lesbian, gay, bisexual, transgender, questioning (LGBTQ) population.
10 The department must approve the training curriculum, program, and
11 instructors required by this section, and develop a form home owners
12 and administrators may use for self-reporting completion of this
13 requirement.

14 (2) The training required by this section must be completed as
15 follows:

16 (a) Owners and administrators of nursing homes that are licensed
17 on the effective date of this section must complete the one-time
18 training by the time of the facility's next license renewal after
19 December 31, 2019;

20 (b) Owners and administrators of nursing homes that become
21 licensed after the effective date of this section must complete the
22 training by the time of the facility's first license renewal;

23 (c) Nursing home owners who work on-site of the facility less
24 than two days per license year are not required to complete the
25 training;

26 (d) After completing the one-time training, nursing home owners
27 and administrators are not required to take the training again until
28 the department approves changes to the learning objectives as
29 established in the Washington Administrative Code. If there are
30 approved changes to the learning objectives, all nursing home owners,
31 administrators, and all long-term care workers, must take a new
32 training as set forth in the Washington Administrative Code."

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1 On page 1, line 2 of the title, after "population;" strike the
2 remainder of the title and insert "amending RCW 74.39A.341; adding a
3 new section to chapter 70.128 RCW; adding a new section to chapter
4 18.20 RCW; and adding a new section to chapter 18.51 RCW."

EFFECT: Requires DSHS to establish the specific hour requirement for training in rule; requires both the facility owner and the administrator to complete the training unless the facility owner works on-site less than 2 days per license year; makes a technical fix that requires nursing home owners and administrators of new facilities to take the training by the facility's first license renewal date; requires all long-term care workers that are required to take continuing education to complete the training; corrects a technical issue so that individual providers caring for a parent are required to complete continuing education; extends the training due date from August 1, 2019, to December 31, 2019.

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