

WAC 246-335-350 Substantial equivalency to the state survey requirement. To ensure compliance with chapters 246-335 WAC and 70.127 RCW, the following substantial equivalency options apply that satisfy the state survey requirement:

(1) An in-home services licensee that is approved to provide home health or hospice services and is certified by the federal medicare program is not subject to the state survey requirement when the following have been met:

(a) The department has determined that the applicable survey standards of the certification program are substantially equivalent to those required by this chapter and chapter 70.127 RCW;

(b) Verification that an on-site medicare survey has been conducted during the previous twenty-four months; and

(c) The licensee or the federal medicare program submits to the department the information required in subsection (4) of this section.

(2) An in-home services licensee that is approved to provide home health or hospice services and is accredited by a department approved certification or accrediting organization is not subject to the state survey requirement when the following have been met:

(a) The department has determined that the applicable survey standards of the certification or accrediting program are substantially equivalent to those required by this chapter and chapter 70.127 RCW;

(b) Verification that an on-site accreditation survey has been conducted during the previous twenty-four months; and

(c) The licensee or the certification or accrediting program submits to the department the information required in subsection (4) of this section.

(3) An in-home services licensee that is approved to provide home care services under contract with and monitored by DSHS or the AAA to provide home care services is not subject to the state survey requirement when the following have been met:

(a) The department has determined that the applicable survey standards of DSHS or the AAA are substantially equivalent to those required by this chapter and chapter 70.127 RCW;

(b) Verification that an on-site DSHS or AAA monitoring has been conducted during the previous twenty-four months;

(c) The licensee has submitted to the department a copy of the final executed contract; and

(d) DSHS or the AAA submits to the department copies of monitoring reports and other relevant reports or findings that indicate compliance with licensure requirements, and the monitoring reports include samples of private pay clients, if applicable.

(4) An in-home services licensee that is approved to provide home health or hospice services and is accredited by a department approved accrediting organization or certified by the federal medicare program, that wants to be exempt from the state survey requirement as authorized in RCW 70.127.085, must submit to the department:

(a) Verification of initial or ongoing accreditation or certification; and

(b) A copy of the most recent decisions and findings of the accrediting organization or the federal medicare program based on an on-site survey within the twenty-four month period preceding the request for state survey exemption.

(5) Nothing in this section shall prevent the department from:

(a) Conducting validation surveys of agencies consistent with RCW 70.127.085;

(b) Conducting initial surveys for applicants applying for initial licensure or licensees applying to add a new service category to their existing license under this chapter;

(c) Surveying in-home services licensees who have service categories that are not medicare certified, accredited, or monitored by DSHS or the AAA; and

(d) Investigating complaints against in-home services licensees approved through substantial equivalency.

[Statutory Authority: RCW 70.127.120 and 43.70.250. WSR 18-06-093, § 246-335-350, filed 3/6/18, effective 4/6/18.]