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**SENATE BILL 5700**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Ranker, Rivers, Liias, Pedersen, Darneille, Chase, and Kuderer

AN ACT Relating to training long-term care providers on the needs of the LGBTQ population; amending RCW 74.39A.341; adding a new section to chapter 70.128 RCW; adding a new section to chapter 18.20 RCW; and adding a new section to chapter 18.51 RCW.

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

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

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

(2) Of the twelve hours of continuing education training required by subsection (1) of this section, at least one hour must provide cultural competency training on issues relating to the LGBTQ population as follows:

(a) All long-term care workers who are licensed on the effective date of this section must complete the training by the time of their next license renewal or August 1, 2018, whichever comes later;

(b) All long-term care workers who become licensed after the effective date of this section must complete the training by the time of their first license renewal;

(c) After completing the training, long-term care workers are not required to take the training again until the training partnership makes changes to the curriculum. If the training is changed, all long-term care workers must take the new curriculum before the end of the long-term care worker's next renewal period.

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

((~~(3)~~)) (4) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsections (1) and (2) of this section ((~~does~~)) do not apply to:

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

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

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

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

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

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

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

(b) Requires comprehensive instruction by qualified instructors.

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

((~~(6)~~)) (7) The department of health shall adopt rules to implement subsections (1) and (2) of this section.

((~~(7)~~)) (8) The department shall adopt rules to implement subsection ((~~(2)~~)) (3) of this section.

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

(1) Adult family home licensees must complete one hour of cultural competency training relating to issues relating to the LGBTQ population. The department must approve the training program required by this section and develop a form licensees may use for self-reporting this requirement.

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

(a) All adult family homeowners or operators who are licensed on the effective date of this section must complete the training by the time of the home's next license renewal or August 1, 2018, whichever comes later;

(b) All adult family homeowners or operators who become licensed after the effective date of this section must complete the training by the time of their first license renewal;

(c) After completing the training, adult family homeowners or operators are not required to take the training again until the department, in coordination with the training partnership, determines that the curriculum needs to be updated. If the training is changed, all adult family homeowners or operators must take the new curriculum before the end of their license's renewal period.

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

(1) Assisted living facility licensees must complete one hour of cultural competency training relating to issues relating to the LGBTQ population. The department must approve the training program required by this section and develop a form licensees may use for self-reporting this requirement.

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

(a) All assisted living facility owners or operators who are licensed on the effective date of this section must complete the training by the time of the facility's next license renewal or August 1, 2018, whichever comes later;

(b) All assisted living facility owners or operators who become licensed after the effective date of this section must complete the training by the time of their first license renewal;

(c) After completing the training, assisted living facility owners or operators are not required to take the training again until the department, in coordination with the training partnership, determines that the curriculum needs to be updated. If the training is changed, all assisted living facility owners or operators must take the new curriculum before the end of their license's renewal period.

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

(1) Nursing home licensees must complete one hour of cultural competency training relating to issues relating to the LGBTQ population. The department must approve the training program required by this section and develop a form licensees may use for self-reporting this requirement.

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

(a) All nursing homeowners or operators who are licensed on the effective date of this section must complete the training by the time of the home's next license renewal or August 1, 2018, whichever comes later;

(b) All nursing homeowners or operators who become licensed after the effective date of this section must complete the training by the time of their first license renewal;

(c) After completing the training, nursing homeowners or operators are not required to take the training again until the department, in coordination with the training partnership, determines that the curriculum needs to be updated. If the training is changed, all nursing homeowners or operators must take the new curriculum before the end of their license's renewal period.

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