

HOUSE BILL REPORT

SHB 1142

As Passed House:

February 6, 2025

Title: An act relating to standardizing basic training and certification requirements for long-term care workers who provide in-home care for their family members, including spouses or domestic partners.

Brief Description: Standardizing basic training and certification requirements for long-term care workers who provide in-home care for their family members, including spouses or domestic partners.

Sponsors: House Committee on Postsecondary Education & Workforce (originally sponsored by Representatives Macri, Ryu, Reed, Callan, Farivar, Simmons, Street, Ormsby, Lekanoff, Reeves, Hill and Tharinger; by request of Department of Social and Health Services).

Brief History:

Committee Activity:

Postsecondary Education & Workforce: 1/22/25, 1/28/25 [DPS].

Floor Activity:

Passed House: 2/6/25, 88-8.

Brief Summary of Substitute Bill

- Aligns training requirements and certification exemptions for long-term care workers providing in-home care for family members, whether such care is provided by an individual provider through the Consumer Direct Care Network, through a home care agency and paid for by Long-Term Services and Supports Trust Program (WA Cares), or through the WA Cares third option, to be defined in rule by the Department of Social and Health Services.

HOUSE COMMITTEE ON POSTSECONDARY EDUCATION & WORKFORCE

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman, Graham, Keaton, Leavitt, Ley, Pollet, Reed, Rude, Salahuddin, Schmidt, Thomas and Timmons.

Minority Report: Without recommendation. Signed by 1 member: Representative Mendoza.

Staff: Saranda Ross (786-7068).

Background:

Long-Term Care Workers and Individual Providers.

A long-term care worker is any person who provides paid, hands-on personal care services for older persons or persons with disabilities. The term includes individual providers of home care services; direct care workers employed by home care agencies or consumer directed employers; providers of home care services to people with developmental disabilities; direct care workers in state-licensed assisted living facilities, enhanced services facilities, and adult family homes; and respite care providers. The term excludes employees of several types of health care and residential care facilities, as well as care providers not paid by the state or by a private agency or facility licensed to provide personal care services.

Certification and Training Requirements.

Long-term care workers must become certified as home care aides by the Department of Health unless an exemption applies. To become certified, a long-term care worker must complete 75 hours of training, pass a certification examination, and pass state and federal background checks. Among the persons exempt from home care aide certification requirements are long-term care workers who are individual providers either caring for their child or parent, or caring only for a sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when such relationships exists by marriage or domestic partnership.

Family members who are exempt from certification have reduced training requirements. Parents who are individual providers only for their developmentally disabled child must complete 12 hours of training relevant to the needs of individuals with developmental disabilities. Spouses or registered domestic partners who are long-term care workers for only their spouse or domestic partner must complete 21 hours of training. Individual providers who are paid to care for their nondevelopmentally disabled child or for a parent, sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, as well as long-term care workers providing approved services only for a spouse or registered domestic partner and funded through the United States Department of Veterans Affairs, must complete 35 hours of required training and are exempt from continuing education requirements.

Long-Term Services and Supports Trust Program.

In 2019 the Legislature enacted the Long-Term Services and Supports Trust Program (WA Cares), which provides long-term care benefits to persons who have paid into WA Cares for a specific period of time and who have been assessed as needing a certain amount of assistance with activities of daily living. Eligible beneficiaries may begin receiving benefits on July 1, 2026, and individual providers will be able to receive payment for providing in-home care through WA Cares.

Summary of Substitute Bill:

Training requirements and certification exemptions for long-term care workers providing in-home care for family members are aligned, whether such care is provided by an individual provider through the Consumer Direct Care Network, through a home care agency and paid for by WA Cares, or through the WA Cares third option, to be defined in rule by the Department of Social and Health Services.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is necessary to prepare for implementation of the WA Cares program, which is Washington's first in the nation universal long-term care insurance program that will begin paying benefits in July 2026. The Long-Term Services and Supports Trust Program requires that eligible family members be eligible to be paid in one of three ways: as individual providers employed through a consumer direct employer, through a home care agency, or through a to-be-determined third option that was recommended by the Long Term Services and Support Commission. Under current law, individual providers caring only for their family have lower training requirements than other standard home care aides and they do not need to maintain a certification through the Department of Health. This proposal would extend this lower training requirement to family members employed through home care agencies and through the third option which the Department of Health is defining in rule. This ensures parity between programs and smoother transitions for both the client and the paid family member should they decide to change the employer type due to preferences or changes in need. The Long-Term Services and Supports Trust Program also created new category to pay spousal providers under the program. The bill would move spouses paid through the veterans administration into this new training category. There are no fiscal impacts to this proposal. This bill does not change training requirements for family members paid under Medicaid, nor does it create new training requirements—it just lowers the number of training hours and creates uniformity. There are 800,000 unpaid family home care providers in the state who need support. Many families have to decide

between working outside the home, caring in the home for a family member, or placing their family member outside the home for care.

(Opposed) None.

(Other) Spouse and domestic caregivers paid under the veterans affairs home and community based programs are required to take 35 hours of basic training. This bill would change this requirement so these caregivers must receive 15 hours of basic training and at least six hours of additional focused training, aligning requirements with those for WA Cares spouses. The training curriculum for spouses does not currently exist but is under development to align with the WA Cares launch date of July 1, 2026. The bill's training requirement should not take effect until this applicable training is available.

Persons Testifying: (In support) Representative Nicole Macri, prime sponsor; Bea Rector, Dept. of Social and Health Services Aging and Long-Term Supports Administration (DSHS ALTSA); and Emily Wittman, Association of Washington Business.

(Other) Yuki Hayashi, SEIU 775 Benefits Group.

Persons Signed In To Testify But Not Testifying: None.