

HOUSE BILL REPORT

HB 1926

As Reported by House Committee On:
Postsecondary Education & Workforce

Title: An act relating to training and testing of home care aides.

Brief Description: Regarding training and testing of home care aides.

Sponsors: Representatives Timmons, Schmick, Pollet, Shavers and Macri.

Brief History:

Committee Activity:

Postsecondary Education & Workforce: 2/18/25, 2/19/25 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Health to develop a plan to integrate testing into the home care aide training process and conduct necessary rulemaking.
- Removes the time frame for home care aides to become certified and instead requires the Department of Health to adopt rules to establish a certification time frame.
- Requires the home care aide examination to be conducted at training sites in addition to testing sites.
- Requires, subject to appropriation, that home care aide testing be available in qualified facility and community-based home care aide training programs by July 1, 2028, and conducted by facility and community trainers.
- Requires, subject to appropriation, that individual providers represented by an exclusive bargaining representative receive testing by a training partner affiliate.

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 17 members: Representatives Paul, Chair; Nance, Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman, Graham, Keaton, Leavitt, Ley, Mendoza, Pollet, Reed, Rude, Salahuddin, Schmidt, Thomas and Timmons.

Staff: Elizabeth Allison (786-7129).

Background:

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, providers of home care services to people with developmental disabilities, direct care workers in assisted living 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 a private agency or facility licensed by the state.

Long-term care workers must become certified as home care aides by the Department of Health (DOH) 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. The long-term care worker must be certified within 200 calendar days of the date of hire.

The DOH in consultation with consumer and worker representatives, must develop the examination to evaluate whether an applicant possesses the skills and knowledge necessary to practice competently. The examination may be conducted at local testing sites around the state.

The DOH must conduct an annual evaluation of the examination results of applicants who complete the examination in a language other than English. If the DOH finds that applicants taking the examination in a particular language fail at a disproportionately higher rate, the DOH must conduct a review of the translation to ensure that it is accurate and understandable.

Summary of Substitute Bill:

The requirement that long-term care workers must be certified as a home care aide within 200 days of the date of hire is removed. The DOH is instead directed to consult with the Department of Social and Health Services (DSHS) to establish by rule the timeline for certification.

The examination may be conducted at a local training or testing site around the state.

The DOH is required to conduct the annual evaluation of examination results of applicants who complete the examination in all languages.

Subject to appropriation, home care aide testing must be available in qualified facility and community-based home care aide training programs by July 1, 2028. Testing must be conducted by facility and community trainers contracted with the DSHS or a training partner affiliate.

Subject to appropriation, if the DOH has any contracts for personal care services with any individual providers who are represented by an exclusive bargaining representative, all required home care aide testing for those individual providers must be provided by a training partner affiliate.

A training partner affiliate is a Washington nonprofit corporation that will contract with the DSHS or its designee to provide the required home care aide testing.

Substitute Bill Compared to Original Bill:

The DOH must collaborate with the DSHS and stakeholders to develop a plan to integrate testing into the home care aide training process and conduct necessary rulemaking, rather than report to the Legislature on home care aide certification, testing, and training by September 1, 2026. The appropriation for implementation is removed. Training requirements for individual providers represented by an exclusive bargaining representative is made subject to appropriation.

Appropriation: None.

Fiscal Note: Requested on February 19, 2025.

Effective Date of Substitute Bill: 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 meant to address workforce challenges in the state, particularly with long-term care. Long-term care workers have a valuable role serving people around the state. Both workers and businesses alike identified barriers to becoming certified as home care aides. This bill is meant to address that and make it easier for folks to join the workforce. There is an amendment to scrap the appropriation. The House Postsecondary Education and Workforce Committee is aware that there is a workforce crisis in long-term care. Delays in certification impact the quality of care. It is better for the individual and the state to train workers at facilities. This bill mitigates work stoppages for providers.

Providers have been directed by the DOH to fire and rehire workers who have not become certified within 200 days. Logistics for training are a challenge especially for those in Eastern Washington. Many long-term care workers who are caught in the backlog for certification leave for other jobs rather than wait to be certified.

(Opposed) None.

Persons Testifying: Representative Joe Timmons, prime sponsor; Amy Thomas, Adult Family Home Council; Allison Lally, Brookdale Senior Living; Alyssa Odegaard, LeadingAge WA; Maddie Foutch, SEIU775; and Brad Banks, WA Home Care Coalition.

Persons Signed In To Testify But Not Testifying: None.