

SENATE BILL REPORT

SHB 1142

As of March 13, 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: Passed House: 2/6/25, 88-8.

Committee Activity: Health & Long-Term Care: 3/13/25.

Brief Summary of Bill

- Amends the training requirements for long-term care (LTC) workers who are providing in-home care to their family members to align the training requirements across the in-home care provider types.
- Replaces references to "individual provider" with "long-term care worker providing in-home care" in the state laws related to training and certification examination requirements for LTC workers.
- Beginning July 1, 2026, a LTC worker providing approved services for a spouse or registered domestic partner and funded through the United States Department of Veterans Affairs is required to complete at least 21 hours of training.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

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.

Staff: Julie Tran (786-7283)

Background: Long-Term Care Workers and Individual Providers. A long-term care (LTC) worker is any person who provides paid, hands-on personal care services for older persons or persons with disabilities. LTC workers include 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. LTC workers exclude 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.

Individual providers means a person including a personal aide, who, under an individual provider contract with the Department of Social and Health Services (DSHS) or as an employee of a consumer directed employer, provides personal care or respite care services to persons who are functionally disabled or otherwise eligible under programs authorized and funded by the Medicaid state plan, Medicaid waiver programs, or similar state-funded in-home care programs.

Certification and Training Requirements. LTC workers must become certified as home care aides by the Department of Health unless an exemption applies. To become certified, a LTC 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 LTC 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 as follows:

- 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 LTC workers for only their spouse or domestic partner must complete at least 21 hours of training. This includes 15 hours of basic training and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs;
- individual providers who provide respite care services for individuals on DSHS' Developmental Disabilities Administration (DDA) and work 300 hours or less in a calendar year, must complete 14 hours of training within the first 120 days after becoming an individual provider; and
- individual providers who are paid to care for their non-developmentally 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 (U.S. VA), must complete 35 hours of required training.

Long-Term Services and Supports Trust Program. In 2019, the Legislature enacted the Long-Term Services and Supports Trust Program (Program), which provides long-term care benefits to persons who have paid into the Program for a specific period of time and who have been assessed as needing a certain amount of assistance with activities of daily living.

Program benefits are available beginning on July 1, 2026, for eligible beneficiaries in Washington and beginning on July 1, 2030, for out-of-state eligible beneficiaries.

Qualified family members may be paid for approved personal care services in the same way as individual providers, through a licensed home care agency, or through a third option if recommended by the Long-Term Services and Supports Trust Commission and adopted by DSHS.

Qualified family member means a relative of an eligible beneficiary qualified to meet requirements established in state law for the approved service they provide that would be required of any other long-term services and supports provider to receive payments from the state.

Currently, LTC workers providing services only for a spouse or registered domestic partner cannot be paid to provide that care through Medicaid.

Summary of Bill: The bill changes "individual provider" references to a "long-term care worker providing in-home care" in the Revised Code of Washington related to the training and certification examination requirements for LTC workers.

Beginning July 1, 2026, a spouse or registered domestic partner who is a LTC worker providing in-home care only for a spouse or domestic partner must receive 15 hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first 120 days after becoming an in-home LTC worker.

Until July 1, 2026, within 120 days after becoming a LTC worker, the LTC worker providing approved services only for a spouse or registered domestic partner and funded through the U.S. VA's home and community-based programs must receive 35 hours of training, five of which must be completed before becoming eligible to provide care and divided as:

- two hours of orientation training relevant to the LTC worker's role as a caregiver and the applicable employment terms; and
- three hours of safety training, including basic safety precautions, emergency procedures, and infection control.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: PRO: This bill is needed to implement the WA Cares Program which will begin paying benefits in July of 2026. This bill creates a training standard for family members regardless of who the employer is and aligns the spousal training requirement. This bill removes some administrative burden associated with family members who want to be paid to provide care to a loved one under the WA Cares Program. There is a request to amend the bill so that the bill allows continuing education to remain optional for family providers for an additional 18 months. Currently, there is not enough relevant content for certain caregivers to meet the 12-hour continuing education credits and additional time is needed to consider solutions that benefit all providers in this category.

Persons Testifying: PRO: Bea Rector, Dept. of Social and Health Services; De Anna Winterrose, The Arc of Tri-Cities/ Benton-Franklin County (Parent Coalition).

Persons Signed In To Testify But Not Testifying: No one.