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**SENATE BILL 5100**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senator Bateman; by request of Department of Social and Health Services

Prefiled 12/23/24.

1           AN ACT Relating to standardizing basic training and certification  
2 requirements for long-term care workers who provide in-home care for  
3 their family members, including spouses or domestic partners; and  
4 amending RCW 18.88B.041 and 74.39A.076.

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

6           **Sec. 1.** RCW 18.88B.041 and 2024 c 322 s 1 are each amended to  
7 read as follows:

8           (1) The following long-term care workers are not required to  
9 become a certified home care aide pursuant to this chapter:

10           (a) (i) (A) Registered nurses, licensed practical nurses, certified  
11 nursing assistants or persons who are in an approved training program  
12 for certified nursing assistants under chapter 18.88A RCW, medicare-  
13 certified home health aides, or other persons who hold a similar  
14 health credential, as determined by the secretary, or persons with  
15 special education training and an endorsement granted by the  
16 superintendent of public instruction, as described in RCW  
17 28A.300.010, if the secretary determines that the circumstances do  
18 not require certification.

19           (B) A person who was initially hired as a long-term care worker  
20 prior to January 7, 2012, and who completes all of the training  
21 requirements in effect as of the date the person was hired.

1 (ii) Individuals exempted by (a)(i) of this subsection may obtain  
2 certification as a home care aide without fulfilling the training  
3 requirements in RCW 74.39A.074(1)(d)(ii) but must successfully  
4 complete a certification examination pursuant to RCW 18.88B.031.

5 (b) All long-term care workers employed by community residential  
6 service businesses.

7 (c)(i) (~~(An individual provider)~~) A long-term care worker  
8 providing in-home care and caring only for the (~~individual~~  
9 ~~provider's~~) worker's child or parent, including when related by  
10 marriage or domestic partnership; (~~and~~)

11 (ii) (~~(An individual provider)~~) A long-term care worker providing  
12 in-home care and caring only for the (~~individual provider's~~)  
13 worker's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or  
14 grandchild, including when related by marriage or domestic  
15 partnership; and

16 (iii) A long-term care worker providing in-home care and caring  
17 only for the worker's spouse or domestic partner.

18 (d) A person working as (~~(an individual provider)~~) a long-term  
19 care worker providing in-home care who provides 20 hours or less of  
20 nonrespite care for one person in any calendar month.

21 (e) A person working as (~~(an individual provider)~~) a long-term  
22 care worker providing in-home care who only provides respite services  
23 and works less than 300 hours in any calendar year.

24 (~~(f) A long-term care worker providing approved services only~~  
25 ~~for a spouse or registered domestic partner, pursuant to the long-~~  
26 ~~term services and supports trust program established in chapter~~  
27 ~~50B.04 RCW.~~)

28 (~~(g) A long-term care worker providing approved services only for~~  
29 ~~a spouse or registered domestic partner and funded through the United~~  
30 ~~States department of veterans affairs home and community-based~~  
31 ~~programs.))~~)

32 (2) A long-term care worker exempted by this section from the  
33 training requirements contained in RCW 74.39A.074 may not be  
34 prohibited from enrolling in training pursuant to that section.

35 (3) The department shall adopt rules to implement this section.

36 **Sec. 2.** RCW 74.39A.076 and 2024 c 322 s 2 are each amended to  
37 read as follows:

38 (1) Beginning January 7, 2012, except for long-term care workers  
39 exempt from certification under RCW 18.88B.041(1)(a):

1 (a) A parent who is the (~~individual provider~~) long-term care  
2 worker providing in-home care only for the person's developmentally  
3 disabled child, including when related by marriage or domestic  
4 partnership, must receive 12 hours of training relevant to the needs  
5 of individuals with developmental disabilities within the first 120  
6 days after becoming (~~an individual provider~~) a long-term care  
7 worker.

8 (b) A spouse or registered domestic partner who is a long-term  
9 care worker providing in-home care only for a spouse or domestic  
10 partner(~~, pursuant to the long-term services and supports trust~~  
11 ~~program established in chapter 50B.04 RCW,~~) must receive 15 hours of  
12 basic training, and at least six hours of additional focused training  
13 based on the care-receiving spouse's or partner's needs, within the  
14 first 120 days after becoming ((a)) an in-home long-term care worker.

15 (c) A person working as (~~an individual provider~~) a long-term  
16 care worker providing in-home care who (i) provides respite care  
17 services only for individuals with developmental disabilities  
18 receiving services under Title 71A RCW or only for individuals who  
19 receive services under this chapter, and (ii) works 300 hours or less  
20 in any calendar year, must complete 14 hours of training within the  
21 first 120 days after becoming (~~an individual provider~~) a long-term  
22 care worker providing in-home care. Five of the 14 hours must be  
23 completed before becoming eligible to provide care, including two  
24 hours of orientation training regarding the caregiving role and terms  
25 of employment and three hours of safety training. The training  
26 partnership identified in RCW 74.39A.360 must offer at least 12 of  
27 the 14 hours online, and five of those online hours must be  
28 individually selected from elective courses.

29 (d) (~~Individual providers~~) Long-term care workers identified in  
30 (d)(i) or (ii) of this subsection must complete 35 hours of training  
31 within the first 120 days after becoming (~~an individual provider~~) a  
32 long-term care worker. Five of the 35 hours must be completed before  
33 becoming eligible to provide care. Two of these five hours shall be  
34 devoted to an orientation training regarding (~~an individual~~  
35 ~~provider's~~) a long-term care worker's role as caregiver and the  
36 applicable terms of employment, and three hours shall be devoted to  
37 safety training, including basic safety precautions, emergency  
38 procedures, and infection control. (~~Individual providers~~) Long-term  
39 care workers subject to this requirement include:

1 (i) (A) Unless covered by (a) of this subsection, (~~(an individual~~  
2 ~~provider))~~ a long-term care worker providing in-home care and caring  
3 only for the ((individual provider's)) worker's child or parent,  
4 including when related by marriage or domestic partnership;

5 (B) (~~(An individual provider))~~ A long-term care worker providing  
6 in-home care and caring only for the ((individual provider's)) long-  
7 term care worker's sibling, aunt, uncle, cousin, niece, nephew,  
8 grandparent, or grandchild, including when related by marriage or  
9 domestic partnership; and

10 (ii) A person working as (~~(an individual provider))~~ a long-term  
11 care worker providing in-home care who provides 20 hours or less of  
12 care for one person in any calendar month(~~;~~ ~~and~~

13 ~~(iii) A long-term care worker providing approved services only~~  
14 ~~for a spouse or registered domestic partner and funded through the~~  
15 ~~United States department of veterans affairs home and community-based~~  
16 ~~programs)).~~

17 (2) In computing the time periods in this section, the first day  
18 is the date of hire.

19 (3) Only training curriculum approved by the department may be  
20 used to fulfill the training requirements specified in this section.  
21 The department shall only approve training curriculum that:

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

24 (b) Requires comprehensive instruction by qualified instructors.

25 (4) If a pandemic, natural disaster, or other declared state of  
26 emergency impacts the ability of long-term care workers to complete  
27 training as required by this section, the department may adopt rules  
28 to allow long-term care workers additional time to complete the  
29 training requirements.

30 (a) Rules adopted under this subsection (4) are effective until  
31 the termination of the pandemic, natural disaster, or other declared  
32 state of emergency or until the department determines that all long-  
33 term care workers who were unable to complete the training required  
34 in subsection (1) of this section have had adequate access to  
35 complete the required training, whichever is later. Once the  
36 department determines a rule adopted under this subsection (4) is no  
37 longer necessary, it must repeal the rule under RCW 34.05.353.

38 (b) Within 12 months of the termination of the pandemic, natural  
39 disaster, or other declared state of emergency, the department shall

1 conduct a review of training compliance with subsection (1) of this  
2 section and provide the legislature with a report.

3 (5) The department shall adopt rules to implement this section.

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