

# Title 257 WAC

## HOME CARE QUALITY AUTHORITY

### Chapters

**257-10 Referral registry.**

#### Chapter 257-10 WAC

#### REFERRAL REGISTRY

### WAC

257-10-120	What qualifies individual providers or prospective individual providers to be included on the referral registry?
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**WAC 257-10-120 What qualifies individual providers or prospective individual providers to be included on the referral registry?** The individual provider or prospective individual provider must:

(1) Satisfactorily complete a Washington state patrol background check and not be convicted of a disqualifying crime based on the appropriate department of social and health services list of crimes and negative actions; and

(2) Complete an FBI fingerprint-based background check if the person has lived in the state of Washington fewer than three years. An individual provider or prospective individual providers who has lived in the state fewer than three years may be included on the referral registry for a one hundred twenty-day provisional period as allowed by law or program rules when:

(a) A fingerprint-based background check is pending; and

(b) The individual provider or prospective individual provider is not disqualified based on the immediate result of the Washington state patrol background check.

(3) Not be listed on any long-term care abuse and neglect registry used by DSHS;

(4) Be eighteen years of age or older;

(5) Provide picture identification;

(6) Have a Social Security card or authorization to work in the United States; and

(7) Comply with requirements listed in WAC 257-10-180.

[Statutory Authority: RCW 74.39A.280(3), 09-20-051, § 257-10-120, filed 10/1/09, effective 11/1/09. Statutory Authority: RCW 74.39A.280(3) and 74.39A.250 (1)(a)-(h), 05-14-113, § 257-10-120, filed 7/1/05, effective 8/1/05.]

**WAC 257-10-130 What information may be considered cause for denying an individual provider or prospective individual provider placement on the referral registry?** An individual provider may be denied placement on the referral registry for the following reasons:

(1) A background check that results in disqualifying crimes based on appropriate department of social and health services list of crimes and negative actions.

(2) Lack of disclosure on background authorization form.

(3) Inclusion on any state abuse and neglect directory.

(4) Information that a current and valid protective order exists and was issued in the state of Washington barring contact with children, vulnerable adults or persons with disabilities.

(5) A reasonable, good faith belief that an individual provider or prospective individual provider is unable to meet the care needs of consumers.

(6) The background check reveals an offense or pattern of offenses that the executive director determines may put consumers at risk.

(7) Department of social and health services IP contract is denied.

[Statutory Authority: RCW 74.39A.280(3), 09-21-100, § 257-10-130, filed 10/20/09, effective 11/20/09. Statutory Authority: RCW 74.39A.280(3) and Title 74 RCW, 09-10-005, § 257-10-130, filed 4/22/09, effective 5/23/09.]

**WAC 257-10-200 Can an individual provider or prospective individual provider be removed from the registry?** Yes. An individual provider or prospective individual provider will be removed from the referral registry for the following reasons:

(1) Failure to meet the qualifications identified in WAC 257-10-120 to 257-10-180.

(2) A determination by the HCQA that the person has committed misfeasance in the performance of his or her duties as an individual provider.

(3) A determination of malfeasance.

(4) A request is made by the person to be removed from the registry.

(5) DSHS IP contract termination.

(6) Information considered cause for denial as referenced in WAC 257-10-130.

[Statutory Authority: RCW 74.39A.280(3) and Title 74 RCW, 09-10-005, § 257-10-200, filed 4/22/09, effective 5/23/09. Statutory Authority: RCW 74.39A.280(3) and 74.39A.250 (1)(a)-(h), 05-14-113, § 257-10-200, filed 7/1/05, effective 8/1/05.]