

WSR 21-14-098

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed July 7, 2021, 9:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-11-023.

Title of Rule and Other Identifying Information: Chapter 388-112A WAC, Residential long-term care services training.

Hearing Location(s): On August 10, 2021, at 10:00 a.m., at Office Building 2, Department of Social and Health Services (DSHS) Headquarters, 1115 Washington, Olympia, WA 98504. Public parking at 11th and Jefferson. A map is available at <https://www.dshs.wa.gov/office-of-the-secretary/driving-directions-office-bldg-2>; or virtual. Due to the impacts of the COVID-19 pandemic, hearings are being held virtually. Please see the DSHS website for the most up-to-date information.

Date of Intended Adoption: Not earlier than August 11, 2021.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email DSHSRPAURulesCoordinator@dshs.wa.gov, fax 360-664-6185, by 5:00 p.m. on August 10, 2021.

Assistance for Persons with Disabilities: Contact DSHS rules coordinator, phone 360-664-6097, fax 360-664-6185, TTY 711 relay service, email DSHSRPAURulesCoordinator@dshs.wa.gov, by July 27, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department is proposing to add a new section as WAC 388-112A-1245 What are the requirements and minimum qualifications for high school instructors and programs that offer core basic, population specific, nurse delegation, and specialty trainings?

Reasons Supporting Proposal: The department is adding this new section to establish minimum qualifications for high school teachers with certain endorsements and experience to teach long-term care worker basic training to high school students.

Providing training at the high school level represents the aging and long-term support administration's ongoing commitment to increase the long-term care workforce in order to fully serve the growing population of individuals who require those services in Washington state. Since most high school teachers do not come from a long-term care work environment, different minimum qualifications need to be established for those instructors.

Statutory Authority for Adoption: RCW 74.08.090, 70.128.060.

Statute Being Implemented: RCW 74.08.090, 70.128.060.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: David Chappell, P.O. Box 45600, Olympia, WA 98504-5600, 360-725-2516; Enforcement: Christine Morris, P.O. Box 45600, Olympia, WA 98504-5600, 360-725-2549.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is required under RCW 34.05.328. A preliminary cost-benefit analysis may be obtained by contacting David Chappell, P.O. Box 45600, Olympia, WA 98504-5600, phone 360-725-2516, email David.chappell@dshs.wa.gov.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. Rules affect school districts, do not impose more-than-minor costs.

July 2, 2021
Katherine I. Vasquez
Rules Coordinator

SHS-4876.2

NEW SECTION

WAC 388-112A-1245 What are the requirements and minimum qualifications for high school instructors and programs that offer core basic, population specific, nurse delegation, and specialty trainings?

(1) A high school instructor teaching core basic, population specific, nurse delegation core, nurse delegation special focus on diabetes, specialty and expanded specialty trainings must meet the following minimum qualifications:

- (a) Be at least twenty-one years of age;
- (b) Not have had a professional, adult family home, assisted living facility, or social services license or certification revoked in Washington state;
- (c) Meet the following education and work experience requirements upon initial approval or hire:
 - (i) Have a valid teaching credential with a related endorsement such as career and technical education, science, health, or special education; and
 - (A) Have caregiving experience within the last five years in a school, community-based, or home setting; or
 - (B) Be a registered nurse with direct care experience within the last five years; or
 - (C) Be certificated under the vocational code V511614; or
 - (D) Have successfully completed core basic training taught by a DSHS approved instructor; or
 - (E) Have taught forty hours of basic training while being mentored by an instructor who is approved to teach basic training;
 - (d) Have at least 100 hours teaching experience;
 - (e) Be knowledgeable in caregiving practices and demonstrate competency for teaching the course content or units being taught; and
 - (f) Have successfully completed any specialty or expanded specialty training classes before training others;
- (2) In addition to requirements under subsection (1) of this section, an instructor for nurse delegation core or diabetes must have a current Washington registered nurse (RN) license in good standing without practice restrictions.
- (3) A high school home care aide training program must be approved and contracted by the department as a community instructor program.

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