

WSR 22-17-073
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Long-Term Support Administration)
[Filed August 16, 2022, 9:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 22-03-046.

Title of Rule and Other Identifying Information: The department is amending WAC 388-71-0837, 388-71-0839, 388-71-0841, 388-71-0846, 388-71-0850, 388-71-0855, 388-71-0860, 388-71-0875, 388-71-0906, 388-71-0911, 388-71-0916, 388-71-0932, 388-71-0936, 388-71-0941, 388-71-0946, 388-71-0970, 388-71-0971, 388-71-0973, 388-71-0980, 388-71-0985, 388-71-0990, 388-71-0991, 388-71-1001, 388-71-1026, 388-71-1031, 388-71-1045, 388-71-1050, 388-71-1051, 388-71-1055, 388-71-1060, 388-71-1064, 388-71-1076, 388-71-1091, 388-71-1096, 388-71-1106, 388-71-1111, 388-71-1120, 388-71-1125, 388-71-1130, 388-112A-0105, 388-112A-0110, 388-112A-0115, 388-112A-0120, 388-112A-0125, 388-112A-0130, 388-112A-0200, 388-112A-0210, 388-112A-0220, 388-112A-0310, 388-112A-0320, 388-112A-0330, 388-112A-0520, 388-112A-0550, 388-112A-0560, 388-112A-0580, 388-112A-0610, 388-112A-0611, 388-112A-0612, 388-112A-0920, 388-112A-0940, 388-112A-0950, 388-112A-1010, 388-112A-1020, 388-112A-1230, 388-112A-1240, 388-112A-1250, 388-112A-1270, 388-112A-1285, 388-112A-1292, 388-112A-1300, and 388-112A-1310.

Repealing WAC 388-71-058329, 388-71-05833, 388-71-05834, 388-71-0921, 388-71-0931, 388-71-0951, 388-71-1006, 388-71-1021, 388-71-1083, 388-112A-0240, 388-112A-0350, 388-112A-0480, 388-112A-0530, 388-112A-0540, 388-112A-0585, 388-112A-0620, and 388-112A-0840.

New WAC 388-71-0958 Is there a challenge test for nurse delegation core or specialized diabetes training?, 388-71-0961 What knowledge and skills must nurse delegation core training include?, 388-71-0962 What knowledge and skills must specialized diabetes nurse delegation training include?, 388-71-1067 What are the minimum qualifications for community instructors for mental health specialty training?, 388-71-1068 What are the minimum qualifications for community instructors for dementia specialty training?, 388-71-1069 What are the minimum qualifications for community instructors to teach expanded specialty trainings?, and 388-112A-0118 What documentation is required for completion of each training?

Hearing Location(s): On October 25, 2022, at 10:00 a.m., at Office Building 2, Department of Social and Health Services (DSHS) Headquarters, 1115 Washington [Street S.E.], 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 virtually. Due to the COVID-19 pandemic, hearings are held virtually, see the DSHS website for the most current information.

Date of Intended Adoption: Not earlier than October 26, 2022.

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 October 25, 2022.

Assistance for Persons with Disabilities: Contact DSHS rules consultant, phone 360-664-6036, fax 360-664-6185, TTY 711 relay service, email shelley.tencza@dshs.wa.gov, by 5:00 p.m. on October 11, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Training requirements for all long-term care workers are regulated by the same policies. Long-term care workers who work in home environments are regulated under chapter 388-71 WAC, while workers in assisted living facilities, enhanced services facilities, and adult family homes are regulated under chapter 388-112A WAC. As a result of many years of amendments and additions to rules that were not done in concert between the two chapters, the language between chapters 388-71 and 388-112A WAC have diverged, resulting in significant differences. These differences cause unnecessary confusion. The modifications contained in this proposal will not change policy or practice, but will reconcile the differences, update language, and create more current and uniform policies for long-term care workers. Amendments fall under the following categories: Changing numbers over 10 to numbers rather than words; adding rules to chapter 388-71 WAC that are already in place in chapter 388-112A WAC, but should be in both training sections; moving rules to new, more logical locations; clarifying language suggested by stakeholders; making wording between chapters more consistent; gender equity changes; consolidating several redundant rules into a single rule; changing "70-hour long-term care basic training" to "70-hour home care aide basic training"; correction of typographical and other unintended errors; and anticipation of a future department of health rule change related to the date of hire.

Reasons Supporting Proposal: See purpose above.

Statutory Authority for Adoption: RCW 18.20.270, 70.128.230, 74.08.090, 74.39A.070, and 74.39A.074.

Statute Being Implemented: RCW 18.20.270, 70.128.230, 74.08.090, 74.39A.070, and 74.39A.074.

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

Name of Proponent: DSHS, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: David Chappell, P.O. Box 45600, Olympia, WA 98504-5600, 360-725-2366.

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

A cost-benefit analysis is not required under RCW 34.05.328. Exempt under RCW 34.05.328 (5)(b)(iv), rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Is exempt under RCW 34.05.328 (5)(b)(iv).

Explanation of exemptions: Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect.

Scope of exemption for rule proposal:

Is fully exempt.

August 12, 2022
Katherine I. Vasquez
Rules Coordinator

SHS-4921.4

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0837 How does DSHS determine a long-term care worker's date of hire? (1) The department determines a long-term care worker's date of hire according to (~~(WAC 246-980-010)~~) chapter 246-980 WAC.

(2) The date of hire is specific to each long-term care worker. It does not change when a long-term care worker changes clients or employers unless the long-term care worker meets the criteria in WAC 388-71-0980.

(3) This section does not apply to background check requirements under this chapter.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0837, filed 8/30/21, effective 10/1/21.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0839 Which long-term care workers are exempt from the (~~(seventy hour)~~) 70-hour, (~~(thirty hour)~~) 30-hour, or (~~(twelve hour)~~) seven-hour basic training requirements? The following long-term care workers are exempt from the (~~(seventy)~~) 70-hour (~~(long-term care worker)~~) home care aide basic training requirement:

(1) An individual employed as a long-term care worker on January 6, 2012, who complied with the basic training requirements in effect on the date of (~~(his or her)~~) hire;

(2) An individual previously employed as a long-term care worker who completed the basic training requirements in effect on the date of (~~(his or her)~~) hire, and was employed as a long-term care worker at some point between January 1, 2011, and January 6, 2012;

(3) Registered nurses, licensed practical nurses, and advanced registered nurse practitioners licensed under chapter 18.79 RCW;

(4) Nursing assistants certified under chapter 18.88A RCW and persons in an approved training program for certified nursing assistants under chapter 18.88A RCW provided that they complete the training program within (~~(one hundred twenty)~~) 120 days of the date of hire and the department of health has issued (~~(them their)~~) a nursing assistant certified credential within (~~(two hundred)~~) 200 days of the date of hire;

(5) A home health aide who was employed by a medicare certified home health agency within the year before being hired as a long-term care worker and has met the requirements of 42 C.F.R., Sec. 484.36;

(6) An individual with special education training who has an endorsement granted by the Washington state superintendent of public instruction as described in RCW 28A.300.010; and

(7) (~~(H)~~) A home care aide(~~(s)~~) (HCA(~~(s)~~)) certified under chapter 18.88B RCW.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0839, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0839, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0841 What is orientation training, who should complete it, and when should it be completed? (1) (~~(Orientation)~~) Long-term care worker orientation is (~~(a training of)~~) two hours of orientation training regarding the long-term care worker's role (~~(as long-term care workers)~~) and the applicable terms of employment. Individuals required to complete the 70-hour home care aide basic training must complete long-term care worker orientation before providing care to a client.

(2) Long-term care worker orientation training, unless taken through a department approved online training program, must be provided by qualified instructors who meet the requirements of WAC 388-71-1060.

(~~(2)~~) (3) The department must approve orientation curricula and instructors.

(~~(3)~~) (4) There is no (~~(challenge)~~) competency test for long-term care worker orientation.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0841, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0846 What content must be included in long-term care worker orientation? (~~(Orientation must include introductory information in the following areas:)~~)

(~~(1)~~) ~~The care setting and the characteristics and special needs of the population served or to be served;~~

~~(2) Basic job responsibilities and performance expectations;~~

~~(3) The care plan, including what it is and how to use it;~~

~~(4) The care team;~~

~~(5) Process, policies, and procedures for observation, documentation and reporting;~~

~~(6) Client rights protected by law, including the right to confidentiality and the right to participate in care decisions or to refuse care and how the long-term care worker will protect and promote these rights;~~

~~(7) Mandatory reporter law and worker responsibilities; and~~

~~(8) Communication methods and techniques that can be used while working with a client or guardian, and other care team members.~~

One hour of completed classroom instruction or other form of training (such as video or online course) equals one hour of training.

~~The training entity must establish a way for the long-term care worker to ask the instructor questions.)~~

~~(1) For those individuals identified in WAC 388-71-0841(1) who must complete orientation training:~~

~~(a) Orientation training may include the use of videos, audio recordings, and other media if the person overseeing the orientation is available to answer questions or concerns for the person(s) receiving the orientation. Orientation must include introductory information in the following areas:~~

~~(i) The care setting;~~

~~(ii) The characteristics and special needs of the population served;~~

~~(iii) Fire and life safety, including:~~

~~(A) Emergency communication (including phone system if one exists);~~

~~(B) Evacuation planning (including fire alarms and fire extinguishers where they exist);~~

~~(C) Ways to handle client injuries and falls or other accidents;~~

~~(D) Potential risks to clients or staff (for instance, challenging client behaviors and how to handle them); and~~

~~(E) The location of policies and procedures;~~

~~(iv) Communication skills and information, including:~~

~~(A) Methods for supporting effective communication among the client/guardian, care team, and family members;~~

~~(B) Use of verbal and nonverbal communication;~~

~~(C) Review of written communications and documentation required for the job, including the client's service plan;~~

~~(D) Expectations about communication with other members of the care team; and~~

~~(E) Who to contact about problems and concerns;~~

~~(v) Standard precautions and infection control, including:~~

~~(A) Proper hand washing techniques;~~

~~(B) Protection from exposure to blood and other body fluids;~~

~~(C) Appropriate disposal of contaminated/hazardous articles;~~

~~(D) Reporting exposure to contaminated articles, blood, or other body fluids; and~~

~~(E) What caregivers should do if they are ill;~~

~~(vi) Client rights, including:~~

~~(A) The client's right to confidentiality of information about the client;~~

~~(B) The client's right to participate in making decisions about the client's care and to refuse care;~~

~~(C) The caregiver's duty to protect and promote the rights of each client and assist the client to exercise their rights;~~

~~(D) How the caregiver should report concerns they may have about a client's decision on their care and who they should report these concerns to;~~

~~(E) The caregiver's duty to report any suspected abuse, abandonment, neglect, or exploitation of a client;~~

~~(F) Advocates that are available to help clients (such as long-term care ombudsmen and organizations); and~~

~~(G) Complaint lines, hot lines, and client grievance procedures such as, but not limited to:~~

~~(I) The DSHS complaint hotline at **1-800-562-6078**;~~

~~(II) The Washington state long-term care ombudsman program;~~

~~(III) The Washington state department of health and local public health departments;~~

- (IV) The local police; and
- (V) Employer grievance procedure.

(2) One hour of completed classroom instruction or other form of training (such as a video or online course) in long-term care orientation training equals one hour of training. The training entity must establish a way for the long-term care worker to ask the instructor questions.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0846, filed 12/20/12, effective 1/20/13.]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0850 What is safety training, who must complete it, and when should it be completed? (1) Safety training is part of the long-term care worker requirements. It is a (~~(training of)~~) three (~~(hours that)~~) hour training that must meet the requirements as described in WAC 388-71-0855, and includes basic safety precautions, emergency procedures, and infection control. (~~(The)~~) Safety training must be completed prior to providing care to the client.

(2) All long-term care workers who are not exempt from home care aide certification as described in RCW 18.88B.041 hired after January 7, 2012, must complete three hours of safety training. This safety training must be provided by qualified instructors who meet the requirements in WAC 388-71-1060.

~~((2))~~ (3) The department must approve safety training curricula and instructors.

~~((3))~~ (4) There is no (~~(challenge)~~) competency test for safety training.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0850, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0855 What content must be included in safety training? Safety training consists of introductory information in the following areas:

(1) Safety planning and accident prevention, including but not limited to:

- (a) Proper body mechanics;
- (b) Fall prevention;
- (c) Fire safety;
- (d) In-home hazards;
- (e) Long-term care worker safety; and
- (f) Emergency and disaster preparedness.

(2) Standard precautions and infection control, including but not limited to:

- (a) Proper hand washing;

- (b) When to wear gloves and how to correctly put them on and take them off;
- (c) Basic methods to stop the spread of infection;
- (d) Protection from exposure to blood and other body fluids;
- (e) Appropriate disposal of contaminated/hazardous articles;
- (f) Reporting exposure to contaminated articles; and
- (g) What to do when sick or injured, including whom to report this to.
- (3) Basic emergency procedures, including but not limited to:
- (a) Evacuation preparedness;
- (b) When and where to call for help in an emergency;
- (c) What to do when a client is falling or falls;
- (d) Location of any advanced directives (~~and when they are given~~) if available; and
- (e) Basic fire emergency procedures.

(4) One hour of completed classroom instruction or other form of training (such as video or online course) equals one hour of training. The training entity must establish a way for the long-term care worker to ask the instructor questions.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0855, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0860 Who must complete orientation and safety, (~~training and~~) by when, and when does an orientation and safety training attestation process need to be completed? (1) Unless exempted in WAC 388-71-0839 (1) through (7), all long-term care workers must complete orientation and safety training prior to providing care to a client.

(2) All individual providers must contact the training partnership and follow the required procedures to confirm that they have completed the orientation and safety training, once it is completed.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0860, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0860, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0875 Who must complete the (~~seventy~~) 70-hour basic training and by when? Unless exempt from training in WAC 388-71-0839(1) through (7), all long-term care workers must complete core and population specific competencies within (~~one hundred twenty~~) 120 days of the date of hire as described in chapter 246-980 WAC.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0875, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0875, filed 12/20/12, effective 1/20/13.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0906 What topics must be taught in the core competencies of the 70-hour home care aide basic training? Basic training must include all of the competencies under WAC 388-71-0911 for the following topics:

- (1) Communication skills;
- (2) Long-term care worker self-care;
- (3) Problem solving;
- (4) Client rights and maintaining dignity;
- (5) Abuse, abandonment, neglect, financial exploitation, and mandatory reporting;
- (6) Client directed care;
- (7) Cultural sensitivity;
- (8) Body mechanics;
- (9) Fall prevention;
- (10) Skin and body care;
- (11) Long-term care worker roles and boundaries;
- (12) Supporting activities of daily living;
- (13) Food preparation and handling;
- (14) Medication assistance;
- (15) Infection control, blood-borne pathogens, HIV/AIDS; and
- (16) Grief and loss.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0906, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0911 What are the core competencies and learning objectives for the ((core competencies of)) 70-hour home care aide basic training? ((Long-term care worker)) Home care aide basic training includes core competencies that describe the behavior and skills that a long-term care worker must exhibit when working with clients and the learning objectives associated with each competency as follows:

- (1) ((Regarding communication:
 - (a)) Communicate effectively and in a respectful and appropriate manner with clients, family members, and care team members((+));
 - ((b)) (a) Recognize how verbal and nonverbal cues impact communication with the client and care team;

- ~~((e))~~ (b) Engage and respect the client through verbal and non-verbal communication;
- ~~((d))~~ (c) Listen attentively and determine that the client, when able, understands what has been communicated;
- ~~((e))~~ (d) Recognize and acknowledge clients' communication including indicators of pain, confusion, or misunderstanding;
- ~~((f))~~ (e) Utilize communication strategies to deal with difficult situations; and
- ~~((g))~~ (f) Recognize common barriers to effective communication and identify how to eliminate them;
- (2) Regarding long-term care worker self-care:
- (a) Identify behaviors, practices, and resources to reduce stress and avoid burnout;
- (b) Recognize common barriers to self-care and ways to overcome them; and
- (c) Recognize aspects of a long-term care worker's job that can lead to stress and burnout, common signs and symptoms of stress and burnout~~((r))~~, and the importance of taking action to practice self-care to avoid burnout;
- (3) Regarding the competency of effective problem solving, use effective problem solving skills to:
- (a) Explain why it is necessary to understand and utilize a problem solving method;
- (b) Implement a problem solving process/method; and
- (c) Identify obstacles to effective problem solving and ways to overcome them;
- (4) Regarding the competency of client rights and dignity, take appropriate action to promote and protect a client's legal and human rights as protected by federal and Washington state laws including:
- (a) Protect a client's confidentiality, including what is considered confidential information, to whom a long-term care worker is allowed or not allowed to give confidential information, and how to respond if a non-care team member asks for confidential information;
- (b) Promote client's dignity and privacy, and encourage, and support a client's maximum independence when providing care;
- (c) Maintain a restraint-free environment, including physical, chemical, and environmental restraints. Use common, safe alternatives to restraint use; and
- (d) Protect and promote the client's right to live free of abuse, neglect, abandonment, and financial exploitation;
- (5) Regarding the competency of recognizing indicators of abuse and understanding the mandatory reporting requirements, recognize the signs of abuse and report suspected abuse, abandonment, neglect, and financial exploitation:
- (a) Describe long-term care worker's responsibilities as a mandatory reporter as defined in RCW 74.34.020 through 74.34.053; and
- (b) Identify common indications of abuse, abandonment, neglect, and financial exploitation;
- (6) Regarding the competency of client directed care, take appropriate action when following a client's direction regarding ~~((his or her))~~ care:
- (a) Describe a long-term care worker's role in client directed care including determining, understanding, and supporting a client's choices;
- (b) Describe the importance and impact of client directed care on a client's independence, self-determination, and quality of life;

- (c) Identify effective problem solving strategies that help balance a client's choice with personal safety; and
- (d) Report concerns when a client refuses care or makes choices that present a possible safety concern;
- (7) Regarding the competency of cultural sensitivity, provide culturally appropriate care:
 - (a) Describe how cultural background, lifestyle practices, and traditions can impact care; and
 - (b) Use methods to determine and ensure that these are respected and considered when providing care;
- (8) Regarding the competency of body mechanics, utilize current best practices and evidence-based methods of proper body mechanics while performing tasks as outlined in the care plan;
- (9) Regarding the competency on fall prevention:
 - (a) Identify fall risk factors and take action to reduce fall risks for a client; and
 - (b) Take proper steps to assist when a client is falling or has fallen;
- (10) Regarding the competency of skin and body care, use personal care practices that promote and maintain skin integrity:
 - (a) Explain the importance of observing a client's skin, when to observe it, and what to look for including common signs and symptoms of skin breakdown;
 - (b) Identify risk factors of skin breakdown;
 - (c) Observe skin at pressure point locations and report any concerns;
 - (d) Describe what a pressure ulcer is, what it looks like, and what actions to take if a client appears to be developing or develops a pressure ulcer;
 - (e) Describe current best practices that protect and maintain a client's skin integrity including position changes when sitting or lying for extended periods, and proper positioning and transfer techniques;
 - (f) Implement current best practices that promote healthy skin including hygiene, nutrition, hydration, and mobility; and
 - (g) Identify when to report skin changes and who to report them to;
- (11) Regarding the competency on long-term care worker roles and boundaries, adhere to basic job standards, expectations, and requirements and maintain professional boundaries:
 - (a) Identify when, how, and why to obtain information from appropriate sources about a client's condition or disease for which they are receiving services, and describe how to use this information to provide appropriate, individualized care;
 - (b) Describe a client's baseline based on information provided in the care plan and explain why it is important to know a client's baseline;
 - (c) Identify changes in a client's physical, mental, and emotional state through observation;
 - (d) Report changes from baseline and concerns to the appropriate care team member(s);
 - (e) Identify basic job standards and requirements (such as coming to work on time) and describe how maintaining these standards are critical to a client's safety and well-being;
 - (f) Explain the purpose of a care plan and describe how it is created, used, and modified;

(g) Use a client's care plan to direct a long-term care worker's job tasks and any client directed care tasks;

(h) Identify what is required of a long-term care worker, as described in WAC 388-71-0946, prior to performing a nurse-delegated task;

(i) Describe the role of a care team and a long-term care worker's role in the care team;

(j) Describe professional boundaries and the importance of maintaining them; and

(k) Identify signs of unhealthy professional boundaries, barriers to keeping clear professional boundaries, and ways to avoid or eliminate them;

(12) Regarding the competency on supporting activities of daily living, perform required personal care tasks to the level of assistance needed and according to current best practices and evidence-based guidelines:

(a) Demonstrate, in the presence of a qualified instructor, all critical steps required for personal care tasks including but not limited to:

(i) Helping an individual walk;

(ii) Transferring an individual from bed to wheelchair;

(iii) Turning and repositioning an individual in bed;

(iv) Providing oral care;

(v) Cleaning and storing dentures;

(vi) Shaving a face;

(vii) Providing fingernail care;

(viii) Providing foot care;

(ix) Providing a bed bath;

(x) Assisting an individual with a weak arm to dress;

(xi) Putting knee-high elastic stockings on an individual;

(xii) Providing passive range of motion for one shoulder;

(xiii) Providing passive range of motion for one knee and ankle;

(xiv) Assisting an individual to eat;

(xv) Assisting with peri-care;

(xvi) Assisting with the use of a bedpan;

(xvii) Assisting with catheter care;

(xviii) Assisting with condom catheter care; and

(xix) Providing medication assistance;

(b) In the process of performing the personal care tasks, use proper body mechanics, listen attentively, speak clearly and respectfully while explaining what the long-term care worker is doing, incorporate client preferences, maintain privacy and dignity, support the client's level of ability, and assure (~~his or her~~) the client's comfort and safety;

(c) Appropriately utilize assistive device(s) specified in the care plan;

(d) Describe any safety concerns related to each task and how to address the concerns;

(e) Demonstrate an understanding of bowel and bladder functioning, including factors that promote healthy bowel and bladder functioning, and the signs, symptoms, and common causes of abnormal bowel and bladder function; and

(f) Identify the importance of knowing a client's bowel and bladder functioning baseline and when to report changes;

(13) Regarding the competency on food preparation and handling, plan and prepare meals using a basic knowledge of nutrition and hydration, incorporating any diet restrictions or modifications, and pre-

vent food borne illness by preparing and handling food in a safe manner:

- (a) Describe how nutrition and hydration can impact a client's health;
 - (b) Plan, shop, and prepare meals for a client according to the guidelines of good nutrition and hydration, incorporating any dietary requirements and restrictions from the care plan and client preferences;
 - (c) Describe common signs of poor nutrition and hydration, and when to report concerns and who to report concerns to;
 - (d) Understand that diet modification is required for certain health conditions, including dysphagia, and describe how to identify diet modifications required for a client;
 - (e) Recognize when a client's food choices vary from specifications on the care plan, describe when to report concerns and who to report them to;
 - (f) Describe what causes food borne illness, the risks associated with food borne illness and examples of potentially hazardous foods;
 - (g) Describe appropriate food handling practices, including:
 - (i) Avoiding cross contamination from one food to another;
 - (ii) Safe storage requirements for cooling of leftover foods, including:
 - (A) Depth;
 - (B) Types of containers and temperatures;
 - (C) The need to maintain food at proper temperatures to limit bacterial growth; and
 - (D) Safe food storage and holding temperatures for both cold and hot foods;
 - (iii) Best practices for thawing and re-heating food; and
 - (iv) Using clean gloves (if possible), and clean utensils when preparing food;
 - (h) Describe the importance and correct procedure for cleaning and disinfecting food contact surfaces; and
 - (i) Describe why a long-term care worker with certain types of illnesses, symptoms, or both must not prepare food;
- (14) Regarding the competency of medication assistance, appropriately assist with medications:
- (a) Identify what a long-term care worker is allowed and not allowed to do when assisting with medications as described in chapter 246-888 WAC;
 - (b) Define terms related to medication assistance including prescription drugs, over the counter medications, and as needed (PRN) medications, medication side effects, and drug interactions;
 - (c) Identify common symptoms of medication side effects and when and to whom to report concerns;
 - (d) Store medications according to safe practices and the label instructions;
 - (e) Describe, in the proper sequence, each of the five rights of medication assistance; and
 - (f) Identify what to do for medication-related concerns, including describing ways to work with a client who refuses to take medications, identifying when and to whom to report when a client refuses medication or there are other medication-related concerns, and identifying what is considered a medication error, when to report a medication error, and who to report it to;

(15) Regarding the competency of infection control and blood-borne pathogens including HIV/AIDS, implement best practices to prevent and control the spread of infections:

(a) Identify commonly occurring infections, ways that infections are spread, and symptoms of infections;

(b) Describe the purpose, benefit, and proper implementation of standard precautions in infection control;

(c) Implement current best practices for controlling the spread of infection, including the use of hand washing and gloves;

(d) Demonstrate proper hand washing and putting on and taking off gloves;

(e) Identify immunizations that are recommended for adults to reduce the spread of virus and bacteria;

(f) Describe laundry and housekeeping measures that help in controlling the spread of infection;

(g) Describe proper use of cleaning agents that destroy micro-organisms on surfaces;

(h) Describe what blood-borne (BB) pathogens are and how they are transmitted;

(i) Identify the major BB pathogens, diseases, and high-risk behaviors for BB diseases;

(j) Identify measures to take to prevent BB diseases;

(k) Describe what to do if exposed to BB pathogens and how to report an exposure;

(l) Describe how HIV works in the body;

(m) Explain that testing and counseling for HIV/AIDS is available;

(n) Describe the common symptoms of HIV/AIDS;

(o) Explain the legal and ethical issues related to HIV including required reporting, confidentiality, and nondiscrimination; and

(p) Explain the importance of emotional issues and support for clients and long-term care workers;

(16) Regarding the competency on grief and loss, support yourself and the client in the grieving process:

(a) Define grief and loss;

(b) Describe common losses a client and long-term care worker may experience;

(c) Identify common symptoms associated with grief and loss;

(d) Describe why self-care is important during the grieving process; and

(e) Identify beneficial ways and resources to work through feelings of grief and loss;

(17) Long-term care workers who complete DSHS approved basic training meet the training requirements for adult family homes in RCW 70.128.250;

(18) Long-term care workers who complete DSHS-approved basic training meet the four hours of AIDS education as required by the department of health for the home care aide requirement in WAC 246-980-040; and

(19) Regarding the competency on identifying indicators of hearing loss, which may be part of the basic training or population specific hours:

(a) Identify common symptoms associated with hearing loss; and

(b) Identify what to do for hearing loss related concerns, including describing ways to communicate with a client who is experiencing hearing loss and identifying when and to whom to report when a client's hearing ability changes.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0911, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0911, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0916 ~~What ((topics may be taught in))~~ is the population specific ((competencies of basic)) component of the 70-hour home care aide training and what required training may be used as population specific training? (1) Population specific basic training ((may include but is not limited to one or more of the following)) is training on topics ((. Which topic(s) to include in population specific training is based on the needs of the population(s) served or to be served.)) unique to the care needs of the population that the home or provider serves. Topics may include but are not limited to:

- (a) Dementia;
- (b) Mental health;
- (c) Developmental disabilities;
- (d) Young adults with physical disabilities; and
- (e) Aging and older adults.

(2) ~~((Specialty training per))~~ Population specific classes may ((WAC 388-112-0110 may be used to meet the population specific component of basic training. The training program will provide a department issued specialty certificate in these instances.)) include but are not limited to:

- (a) DSHS developed or approved specialty training, such as:
 - (i) Dementia specialty training;
 - (ii) Mental health specialty training; and
 - (iii) Developmental disabilities specialty training.

(b) DSHS developed or approved curriculum on population specific topics, such as:

- (i) Traumatic brain injury, surviving and thriving; and
- (ii) Navigating challenging behaviors.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0916, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0932 **What is on-the-job training?** (1) Effective July 1, 2012, on-the-job training is a method of training where the long-term care worker successfully demonstrates in the ~~((seventy))~~ 70-hour ~~((long term care worker))~~ home care aide basic training, ~~((any or all of))~~ the core competencies for personal care or infection control skills while working with a client on the job, instead of in a practice training setting.

(2) ~~((On the job training must be provided by a))~~ A qualified instructor as described in WAC 388-71-1055, ((who)) provides on-the-job training and directly observes, coaches, and reinforces skills training for up to two long-term care workers at a time. The qualified instructor ((providing)) who provides the on-the-job training:

(a) ~~((Does not have to))~~ Need not be the instructor who ((has)) taught the core competency training; and

(b) ~~((Must not be someone whose primary job duty is providing direct care to clients; and~~

~~(-e-))~~ May be the immediate supervisor in a home care agency of the long-term care worker receiving this training.

(3) ~~The ((instructor overseeing this))~~ person who oversees on-the-job training must:

(a) Submit DSHS required forms and become an approved instructor for the core competency of basic training; ((and))

(b) Verify on a DSHS approved skills checklist or other department approved form, the long-term care worker's successful completion of the demonstrated skills((-)); and

(c) Not relinquish required duties to trainee caregivers when acting as a trainer.

(4) ~~((For the person receiving on-the-job training, the hours spent in on the job training may count toward the completion of basic training requirements.~~

~~((5) The training program must get department approval for the on-the-job training hours as part of the seventy hour training))~~ The department must approve the number of on-the-job hours included in the 70-hour home care aide basic training.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0932, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0932, filed 12/20/12, effective 1/20/13.]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0936 What is nurse delegation core training? (1)

Nurse delegation core training is ~~((the))~~ required before ~~((course a nursing assistant,))~~ certified or registered ~~((r))~~ nursing assistants or certified home care aides ~~((must))~~ ~~((successfully complete before being))~~ may be delegated a nursing task.

(2) ~~((Only the curriculum developed by DSHS, "Nurse Delegation for Nursing Assistants and Home Care Aides" meets the training requirement for nurse delegation core training.~~

~~(3))~~ DSHS ((must)) approves ((the)) instructors for nurse delegation core training ~~((prior to an instructor offering a course)).~~

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0936, filed 8/30/21, effective 10/1/21. Statutory

Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0936, filed 12/20/12, effective 1/20/13.]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0941 What is ~~((specialized diabetes))~~ nurse delegation specialized diabetes training? (1) ~~((Specialized diabetes))~~ Nurse delegation specialized diabetes training is the required course for nursing assistants, certified or registered, and certified home care ~~((aide))~~ aides who will be delegated the task of insulin injections.

(2) ~~((The specialized diabetes nurse delegation training consists of three modules which are diabetes, insulin, and injections.~~

~~((3) Only the curriculum developed by DSHS, "Nurse Delegation for Nursing Assistants: Special Focus on Diabetes" may be used for the specialized diabetes nurse delegation training.~~

~~((4)) DSHS approves the instructors for the ~~((specialized diabetes))~~ nurse delegation specialized diabetes training ~~((prior to an instructor offering a course)).~~~~

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0941, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0946 Who is required to complete the nurse delegation core training and nurse delegation specialized focus on diabetes training~~((r))~~ and by when? ~~((Before performing any delegated task, a long-term care worker must:))~~

(1) ~~((Be a:))~~ Before performing any delegated nursing task, long-term care workers must:

(a) Successfully complete the DSHS designated nurse delegation core training, "nurse delegation for nursing assistants & home care aides";

(b) Be one or more of the following:

~~((a))~~ (i) Certified home care aide under chapter 18.88B RCW;
~~((e))~~

~~((b))~~ (ii) Nursing assistant certified under chapter 18.88A RCW~~((; or))~~.

~~((c))~~ (2) If the long-term care worker is exempt from the home care aide certification under WAC 246-980-025, the long-term care worker must be ~~((become))~~ a nursing assistant registered and complete the core competencies of basic training, unless they already completed the ~~((twenty-eight))~~ 28 hours of revised fundamentals of care or a department approved alternative ~~((was already completed.))~~;

~~((d))~~ (3) If nurse delegation is needed to implement a care plan or negotiated service agreement earlier than home care aide certification can be obtained, the long-term care worker must become a

nursing assistant registered and complete core competencies (the core
~~((of))~~ basic training) of the 70-hour home care aide basic training.

(4) Before long-term care workers may perform the task of insulin injections, the long-term care workers must:

(a) Meet the requirements in subsection (1)(a) and (b) of this section; and

~~((2))~~ (b) Successfully complete ("Nurse Delegation for Nursing Assistants") the DSHS designated nurse delegation specialized diabetes training.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0946, filed 12/20/12, effective 1/20/13.]

NEW SECTION

WAC 388-71-0958 Is there a challenge test for nurse delegation core or specialized diabetes training? There is no challenge test for nurse delegation core or specialized diabetes training.

[]

NEW SECTION

WAC 388-71-0961 What knowledge and skills must nurse delegation core training include? Only the DSHS developed curriculum for nurse delegation entitled, "nurse delegation for nursing assistants & home care aides," meets the training requirement for nurse delegation core training.

[]

NEW SECTION

WAC 388-71-0962 What knowledge and skills must nurse delegation specialized diabetes training include? Nurse delegation specialized diabetes training consists of three modules on diabetes, insulin, and injections. Only the curriculum developed by DSHS, "nurse delegation for nursing assistants: special focus on diabetes," may be used for the nurse delegation specialized diabetes training.

[]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0970 What documentation is required for completion of each training? (1) Orientation, safety, basic training, including core and population specific, ~~the ((thirty))~~ 30-hour training, ~~the ((twelve))~~ seven-hour parent provider training, on-the-job training,

continuing education, ~~((and))~~ nurse delegation core and specialized diabetes training, specialty and expanded specialty training, and adult education training must be documented by a certificate~~((s) or)~~, transcript, or proof of completion of training issued by a qualified instructor or qualified training entity that includes:

- ~~((1))~~ (a) The name of the student;
 - ~~((2))~~ (b) The title of the training as approved by the department;
 - ~~((3))~~ (c) For continuing education the department assigned curriculum approval code;
 - ~~((4))~~ (d) The number of hours of the training;
 - ~~((5))~~ (e) The name and identification number of the training entity;
 - ~~((6))~~ (f) The instructor's name~~((r))~~;
 - (g) For core basic training and the 75-hour certificate, the instructor's name and identification number;
 - ~~((7))~~ (h) The instructor's signature or an authorized signature from the training entity the qualified instructor is training on behalf of; and
 - ~~((8))~~ (i) The completion date of the training.
- (2) The long-term care worker must ~~((retain the original certificate or transcript for))~~ be given documentation of the proof of completion of the training that the student should retain. A home care agency must keep a copy of the ~~((certificate or transcript))~~ proof of completion as specified in subsection (1) of this section on file.
- (3) An instructor who is approved for Core Basic may sign a 75-hour certificate from the same training program.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0970, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0971 Prior to hiring a long-term care worker, what training and certification requirements must be reviewed by the home care agency or department? Before hiring a long-term care worker, the home care agency or the department acting on behalf of the client, as defined under RCW 74.39A.009; or the consumer directed employer under chapter 74.39A RCW; must review and verify the highest level of training or certification achieved by the individual.

(1) When the individual is a home care aide certified under chapter 18.88B RCW, the home care agency, CDE, or department must:

- (a) Verify that the individual's home care aide certification is current and in good standing; and
- (b) Confirm and document that the individual ~~((has completed))~~ is in compliance with continuing education as required under WACs 388-71-0990 and 388-71-0991 for the compliance year in which they are hired.

(2) When the individual is exempt from the ~~((seventy))~~ 70-hour ~~((long-term care worker))~~ home care aide training and certification requirements under WAC 388-71-0839, the home care agency, CDE, or department must review and verify the following:

- (a) Documents demonstrating the individual's exemption status from training and certification which may include:

(i) Washington state provider active credential number, showing that the individual's license or certification is current and in good standing;

(ii) ~~(Letter)~~ A letter from a former or current employer documenting work history during the exemption period described in WAC 388-71-0839;

(iii) Employment history records from the Washington state employment security department documenting work history information during the exemption period;

(iv) Federal tax statements documenting work history information during the exemption period; or

(v) Documentation showing completion of the basic training as required under WAC 388-71-0839;

(b) For the year in which they are hired, documentation of completion of ~~((twelve))~~ 12 hours of continuing education, or information on when the continuing education must be completed, that complies with WAC 388-71-0990 and WAC 388-71-0991.

(3) Individuals who have worked as long-~~((-))~~ term care workers in the past, but who did not complete the basic training or certification required at the time, may be eligible to have ~~((their))~~ the date of hire reset in accordance with this section and WAC 388-71-0980.

(a) Individuals who are eligible to reset their date of hire as provided in WAC 388-71-0980 must submit a new application and fee to the department of health and adhere to the training or certification requirement under this chapter.

(b) Individuals who are not eligible to reset ~~((their))~~ the date of hire as provided in WAC 388-71-0980 must not be paid to provide personal care assistance until they complete required training and become certified as a long-term care worker.

(4) The home care agency, or the department acting on behalf of the client, as defined under RCW 74.39A.009; or the consumer directed employer under chapter 74.39A RCW must comply with continuing education documentation requirements under WAC 388-71-0970.

(a) Individuals who worked in the previous year in a long-term care setting during the previous calendar year, are held accountable for ~~((their))~~ continuing education completion by their new employer on the date of hire and shall provide at new hire, documentation of their continuing education compliance during the calendar year ~~((in which they are))~~ hired; or

(b) Individuals who work for multiple employers or move between employers shall on the date of hire, provide documentation of continuing education compliance for the year in which they are hired, if hired after their birthdate.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0971, filed 8/30/21, effective 10/1/21.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-0973 What documentation is required for a long-term care worker to apply for the home care aide certification or recertification? (1) Successful completion of ~~((seventy-five hours of))~~ the

70-hour home care aide basic training, the two hours of orientation, and the three hours of safety training (referred to collectively as the 75 hours of training) must be documented on a DSHS ((seventy-five)) approved 75-hour training certificate, transcript, or proof of completion by an approved training entity verifying that ((has provided or verified that)) a total of ((seventy-five)) 75 hours of training ((has)) have occurred.

(2) An approved training entity issuing and signing a DSHS ((seventy-five)) 75-hour training certificate must verify that the long-term care worker has the certificates or transcript required documenting two hours of DSHS-approved orientation, three hours of DSHS-approved safety training, and ((seventy hours of DSHS-approved)) the 70-hour home care aide basic training, as described in this chapter. ((Only a DSHS)) When applying to the department of health for home care aide certification, the long-term care worker may only submit a 75-hour training certificate that has been issued by the department or the training partnership ((seventy-five hour training certificate or transcript can be submitted by a long-term care worker applying to the department of health for a home care aide certification)).

(3) For annual home care aide recertification, successful completion of ((twelve)) 12 hours of DSHS-approved continuing education training must be documented on a certificate(s) or transcript(s) issued by a department((-))_approved training entity.

(4) The long-term care worker, certified home care aide, and ((their)) employer must retain ((the original seventy-five hour training certificate or transcript and)) any ((twelve)) 12-hour continuing education training certificates, transcripts, or other approved proof of completion as described in WAC 388-71-0970(1) as long as the worker is employed ((and up to three years after termination of employment. Training entities must keep a copy of these certificates on file for six years)).

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0973, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0980 May a home care agency or client employ a long-term care worker who has not completed the ((seventy)) 70-hour basic training or certification requirements? (1) If an individual has previously worked as a long-term care worker, but did not complete the training or certification requirements under RCW 18.88B.041, ((RCW)) 74.39A.074, and ((RCW)) 74.39A.096, ((or)) and this chapter, a home care agency or client must not employ the individual to work as a long-term care worker until the individual has completed the required training certification unless the date of hire has been reset as described under subsection (2) of this section.

(2) The date of hire may be reset once for each home care applicant after a minimum of one year has passed since the initial date of hire. If chapter 246-980 WAC provides for additional resets for date of hire, chapter 246-980 WAC shall supersede.

(3) Individuals who meet the criteria in subsection (2) of this section are allowed a new ((one hundred twenty)) 120 days to complete the ((seventy)) 70-hour ((long-term care worker)) home care aide basic

training and a new (~~two hundred~~) 200 days to become certified as a home care aide, if required by WAC 246-980-020.

(4) Individuals who meet the criteria in subsection (~~(+3)~~) (2) of this section must submit a new application and fee to the department of health.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0980, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0980, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0985 What is continuing education and what topics may be covered in continuing education? (1) Continuing education is annual training designed to promote professional development and increase a person's knowledge, expertise, and skills. DSHS must approve continuing education curricula and instructors.

(2) The same continuing education course (~~(may)~~) must not be repeated for credit unless it is a new or more advanced training on the same topic (~~(or, there is a demonstrated or documented need for re-training. Exceptions to this include)~~). However, a long-term care worker may repeat up to five credit hours per year on the following topics:

- (a) Blood(~~(-)~~)borne pathogens and infection control;
- (b) CPR training;
- (c) First-aid training;
- (d) Food handling training;
- (e) Health Insurance Portability and Accountability Act (HIPAA);
- (f) Medication assistance;
- (g) Disaster preparedness;
- (h) Aging sensitivity;
- (i) Client rights as it relates to caregiving issues in chapter 70.129 RCW;
- (j) Client(~~(s)~~) safety; (~~(and)~~)
- (k) Abuse and neglect identification and mandatory reporting(~~(-)~~); and

(1) Topics where the home care agency, CDE, or department can demonstrate a need for retraining.

(3) Continuing education must be on a topic relevant to the care setting, care needs of clients, or long-term care worker career development. In addition to the topics listed in subsection (2) of this section, topics or courses may include:

- (a) Personal care services;
- (b) Mental illness;
- (c) Dementia;
- (d) Developmental disabilities;
- (e) Depression;
- (f) Communication skills;
- (g) Positive client behavior support;
- (h) Developing or improving client centered activities;
- (i) Dealing with wandering or aggressive client behaviors;

(j) Deescalating challenging behaviors; and

(k) Medical conditions.

~~((2))~~ (4) Nurse delegation core and nurse delegation specialized diabetes training hours when not applied to basic training hours count towards continuing education.

(5) Specialty training, except if completed through a challenge test, may be used to meet continuing education requirements.

(6) When hours from a class approved as specialty training are counted toward basic training requirements, the hours must not be counted toward continuing education.

~~((3))~~ (7) Successful completion of a department of health approved home care aide certified alternative bridge program may be applied for up to ~~((twelve))~~ 12 hours of continuing education in the year it was completed.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0985, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0985, filed 12/20/12, effective 1/20/13.]

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0990 Who is required to complete continuing education training, how many hours are required each year, and under what circumstances may the long-term care worker not be paid? (1) The following long-term care workers must complete ~~((twelve))~~ 12 hours of continuing education by their birthday each year unless exempt from continuing education as described in WAC 388-71-1001:

(a) ~~((e))~~ A certified home care aide~~((s))~~;

(b) ~~((f))~~ A long-term care worker who is exempt from home care aide certification as described in RCW 18.88B.041~~((, long-term care workers must complete twelve hours of continuing education each year worked unless exempt from continuing education as described in WAC 388-71-1001.))~~;

(c) A certified nursing assistant;

(d) A person with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010.

(2) The continuing education requirements of this section do not apply to a registered nurse, a licensed practical nurse, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW, even if voluntarily certified as a home care aide under chapter 18.88B RCW.

~~((2))~~ (3) A long-term care worker or certified home care aide who did not complete the continuing education requirements by the timeframe described in this section or in WAC 388-71-0991 must not be paid to provide care after that date and must not be reinstated as a

long-term care worker until the worker has completed the continuing education requirements.

~~((3) One hour of completed classroom instruction or other form of training (such as a video or online course) equals one hour of continuing education. The training entity must establish a way for the long-term care worker to ask the instructor questions.))~~

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0990, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0990, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-0991 When must a long-term care worker or certified home care aide complete continuing education? (1) All long-term care workers who are certified home care aides must comply with the continuing education requirements under chapter 246-980 WAC.

(2) Long-term care workers, who are exempt from home care aide certification as described in RCW 18.88B.041, unless exempt from continuing education as described under WAC 388-71-1001 must complete and provide documentation of 12 hours of continuing education within 45 calendar days of being hired or by the long-term care worker's birthday in the calendar year hired, whichever is later; and ~~((the annual continuing education requirements for each calendar year in which they performed any work as a long-term care worker.))~~

(a) Must complete 12 hours of continuing education by the long-term care worker's birthday each calendar year worked thereafter; or

(b) If the 45 calendar day time period allows the long-term care worker to complete continuing education in January or February of the following year, the credit hours earned will be applied to the calendar year in which the long-term care worker was hired.

~~((3) Long-term care workers, who are exempt from home care aide certification as described in RCW 18.88B.041, unless exempt from continuing education as described under WAC 388-71-1001 and who have not worked in long-term care for a calendar year or longer, are eligible to return to work as a long-term care worker when the continuing education hours required under this section are completed within the following timeframes:~~

~~(a) On or before their birthday, if their birthday will occur after the date they return to work; or~~

~~(b) Within forty-five calendar days of the date they returned to work, if their birthday occurred took place on or before the day they returned to work.~~

~~(i) If this forty-five calendar day time period allows workers to complete their continuing education in January or February of the following year, the hours of credit earned will be applied to the year in which they were hired.~~

~~(ii) Continuing education requirements for the calendar year after the year they were hired must be completed as required under WAC 388-71-0990, even if the long-term care worker must complete twenty-four hours of classes within a very short time.))~~

~~((4))~~ (3) If the renewal period following initial certification as a home care aide or nursing assistant (NA-C), is less than a full year from the date of certification, no continuing education will be due for the first renewal period. ~~((The long-term care worker must complete continuing education requirement for the second renewal period on or before their birthdays.))~~

~~((5))~~ (4) For long-term care workers who are caring for a biological, step, or adoptive parent, continuing education must be completed on or before ~~((by))~~ their birthday in the year after basic training was completed. If these long-term care workers have not worked in long-term care for a calendar year or longer, the worker ~~((they))~~ can complete ~~((their))~~ the continuing education requirement as provided in subsection ~~((3))~~ (2) of this section.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-0991, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-0991, filed 12/20/12, effective 1/20/13.]

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-1001 Which long-term care workers are exempt from the continuing education requirement? ~~((Unless voluntarily certified as a home care aide, e))~~ Continuing education is not required for any of the following:

- (1) Individual providers caring only for their biological, step, or adoptive child;
- (2) Individual providers that:
 - (a) Provide care to only one person and provide no more than ~~((twenty))~~ 20 hours of care in any calendar month; or
 - (b) Individual providers who only provide respite services and work ~~((three hundred))~~ 300 hours or less in any calendar year;
- (3) Before January 1, 2016, a long-term care worker employed by a community residential service business; and
- (4) Registered nurses, ~~((and))~~ licensed practical ~~((nurse))~~ nurses, and advanced registered nurse practitioners licensed under chapter 18.79 RCW, even if voluntarily certified as a home care aide under chapter 18.88B RCW.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-1001, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1001, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-1026 What must be submitted to DSHS for curriculum approval? (~~DSHS developed curricula are not required to be submitted to the department for approval unless the curriculum is being modified in any manner by the training entity.~~)

(1) If a training entity modifies a department developed curricula in any manner, the training entity must submit the curriculum to the department for approval.

(2) Training must not be offered before receiving department curriculum and instructor (~~approved~~) approval.

(3) Online classes when applicable, must adhere to the DSHS online class standards in effect at the time of approval. These online standards are posted on the DSHS(~~is~~) website <https://bit.ly/dshs-online-standards>.

(4) **For orientation and(~~or~~) safety training:**

(a) Submit an outline of what will be covered in each training offered including a table of contents that shows where the required introductory topics as listed in WAC 388-71-0846 for orientation and WAC 388-71-0855 for safety training are covered in the training.

(b) Department required orientation and safety training application forms must be submitted to the department at least (~~forty-five~~) 45 days in advance of when the training is expected to be offered.

(c) Training cannot be offered before the department approves the curriculum and instructor.

(5) **For continuing education:**

(a) Continuing education curriculum delivery models must only include instructor led, online instructor led (such as a webinar), or an online interactive self-paced (~~class that provides clear instructions on how students get questions answered during the course~~) learning with access to an instructor.

(b) For continuing education classes, submit on a department developed form, a summary that includes the topic, a brief description of what it will cover, a course outline, (~~and~~) the number of training hours, and a description of how the training is relevant to the care setting, care needs of the clients, or long-term care worker career development.

(c) For online training courses, submit the information requested in (b) of this subsection and submit a description of how the instructor or training entity will assess that the students have (~~completed the materials and~~) integrated the information being taught. The training entity must establish a way for the long-term care worker to ask the instructor questions.

(d) One hour of completed classroom instruction or other form of training (such as an online course) equals one hour of continuing education.

(~~(d)~~) (e) Department required continuing education training application forms must be submitted at least (~~forty-five~~) 45 days in advance of (~~when~~) the training (~~is expected to be offered~~). The department must approve the curriculum and instructor before the training may be offered.

(6) **For (~~seventy~~) the 70-hour (~~long-term care worker~~) home care aide basic training, the (~~thirty~~) 30-hour basic training, and the (~~twelve~~) 7-hour parent provider training:**

(a) If the instructor or training entity uses the DSHS developed fundamentals of caregiving learner's guide or its substitute with en-

hancements, they must submit the DSHS required form with all required information.

(b) If the instructor or training entity does not use ((a)) the DSHS developed ((revised)) fundamentals of caregiving learner's guide or its substitute with enhancements to teach the ((seventy)) 70-hour ((long-term-care-worker)) home care aide basic training, ((thirty)) the 30-hour basic training, and for the ((twelve)) 7-hour parent provider training, they must submit to DSHS the following for approval:

(i) A completed DSHS curriculum checklist indicating where all of the competencies and learning objectives, described in this chapter, are located in the long-term care worker materials from the proposed curriculum for that course;

(ii) Any materials long-term care workers will receive, such as a textbook or long-term care worker manual, learning activities, audio-visual materials, handouts, and books;

(iii) The table of contents or outline, ~~((of the curriculum))~~ including the allotted time for each section;

(iv) Demonstration skills checklists for the personal care tasks described in WAC 388-71-0911((-)) (12) (a) and (b), and infection control skills ((+)) such as hand washing and putting on and taking off gloves((+)); and

(v) The teacher's guide or manual that includes for each section of the curriculum:

(A) The goals and objectives;

(B) Methods of teaching, including learning activities that incorporate adult learning principles;

(C) Methods ~~((instructors will use))~~ used to determine whether each long-term care worker understands the material covered and can demonstrate all skills;

(D) A list of sources or references that were used to develop the curriculum and if the primary source or reference is not a published citation, the instructor must provide detail on how the content ~~((was established as))~~ is evidence based;

(E) Description of how the curriculum was designed to accommodate long-term care workers with either limited English proficiency, learning disabilities, or both; and

(F) Description and proof of how input was obtained from consumers and long-term care worker representatives in the development of the curriculum.

(c) Curricula submitted for the core competency section of the basic training as described in WAC 388-71-0911 must include how much time long-term care workers will be given to practice skills and how instructors will evaluate and ensure each long-term care worker can proficiently complete each skill.

(d) Entities ~~((submitting))~~ that submit curriculum for population specific component of home care aide basic training must submit ~~((their own))~~ a list of competencies and learning objectives used to develop the population specific basic training curriculum.

(7) For specialty training:

(a) For specialty training that is not DSHS developed curriculum or another department approved specialty training curriculum, submit the required specialty training application form and any additional learning objectives added to the competency and learning objectives checklist, the enhancements that have been added, and additional student materials or handouts.

(b) To be approved, an alternative curriculum must at a minimum include:

(i) All the DSHS published learning outcomes and competencies for the course;

(ii) Student materials that support the curriculum, a teacher's guide or manual, and learning resource materials such as learning activities, audio-visual materials, handouts, and books;

(iii) The recommended sequence and delivery of the material; and

(iv) The teaching methods or approaches that will be used for different sections of the course, including for each lesson:

(A) Learning activities that incorporate adult learning principles and address the learning readiness of the student population;

(B) Practice of skills to increase competency;

(C) Feedback to the student on knowledge and skills;

(D) An emphasis on facilitation by the teacher; and

(E) An integration of knowledge and skills from previous lessons to build skills;

(v) A list of the sources or references, if any, used to develop the curriculum;

(vi) Methods of teaching and student evaluation for students with either limited-English proficiency, learning disabilities, or both; and

(vii) A plan for updating material.

(8) Substantial changes to a previously approved curriculum must be approved before they are used.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-1026, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1026, filed 12/20/12, effective 1/20/13.]

Reviser's note: The unnecessary START in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1031 What is the curriculum approval process for orientation, safety, ~~((seventy))~~ the 70-hour basic training ~~((core and population specific training))~~ population specific training, the ~~((thirty))~~ 30-hour basic training, the ~~((twelve))~~ 7-hour parent provider training, and continuing education? To obtain the department's approval of the curriculum for the 70-hour basic training, population specific training, the 30-hour basic training, the 7-hour parent provider training, and continuing education:

(1) Submit the required training application forms and any other materials required for specific curricula to the department.

(2) After review of the curriculum, DSHS will send a written response to the submitter, indicating approval or disapproval of the curriculum~~((s))~~.

(3) If the curriculum~~((s) are))~~ is not approved, the reason(s) for denial will be given and the submitter will be told what portion(s) of the training must be changed and resubmitted for review in order for the curriculum to be approved.

(4) The submitter ~~((can))~~ may then make the requested changes and resubmit the curriculum(s) for review.

(5) If after working with the department, the reasons why the curriculum is not approved cannot be resolved, the submitter may seek a review of the nonapproval decision from the assistant secretary of aging and ~~((disability services administration))~~ long-term support administration (AL TSA). The assistant secretary's review decision ~~((shall))~~ will be the final decision of DSHS ~~((; no))~~. No other administrative review is available to the submitter.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1031, filed 12/20/12, effective 1/20/13.]

INSTRUCTOR (~~((QUALIFICATIONS,))~~) APPROVAL (~~((, AND RESPONSIBILITIES))~~)

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1045 What are a training entity's responsibilities?

The training entity is responsible for:

- (1) Coordinating and teaching classes;
- (2) Assuring that the curriculum used is DSHS-approved and taught as designed;
- (3) Selecting ~~((and monitoring))~~ qualified guest speakers, where applicable;
- (4) Establishing a method whereby the long-term care worker can ask the instructor questions;
- ~~((4))~~ (5) Administering or overseeing the administration of the DSHS competency and challenge tests ((for nurse delegation core, specialized diabetes trainings, dementia specialty, mental health specialty and DDD specialty training));
- ~~((5))~~ (6) Maintaining training records electronically or on paper including long-term care worker ((tests)) certificates and attendance records for a minimum of six years;
- ~~((6))~~ (7) Reporting training data to DSHS ((in DSHS-identified timeframes)) when requested by the department; and
- ~~((7))~~ (8) Issuing or reissuing training certificates to long-term care workers.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1045, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1050 Must training entities and their instructors be approved by DSHS? ~~((All training))~~ Training entities and their ~~((instructor(s)))~~ instructors ~~((for orientation, safety, and continuing education must meet the minimum qualifications under WAC 388-71-1060.~~

All instructors for ~~seventy hour basic training (core and population specific training), thirty hour training, twelve hour DDD parent provider training, on-the-job training, nurse delegation core training and nurse delegation specialized diabetes training must meet the minimum qualifications under WAC 388-71-1055.)~~ must be approved by DSHS as follows:

(1) For DSHS contracted training entities:

~~((1))~~ (a) DSHS must approve ~~((and/))~~ or approve and contract with a training entity and ~~((their))~~ its instructor(s) to conduct orientation, safety, ~~((seventy))~~ 70-hour basic training, ~~((core and))~~ population specific training, ~~((+))~~, specialty training, ~~((thirty))~~ 30-hour training, ~~((twelve))~~ 7-hour ~~((DDD))~~ DDA parent provider training, nurse delegation core training, and nurse delegation specialized diabetes training, on-the-job training, and continuing education.

(b) DSHS may ~~((contract with))~~ select training entities ~~((and their instructor(s)))~~ using any applicable contracting procedures. Contractors must meet the minimum qualification for instructors under this chapter and any additional qualifications established through the contracting procedure.

~~((2) The training partnership must ensure that its instructors meet the minimum qualifications under this chapter.)~~

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1050, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1051 Can DSHS deny or terminate a contract ~~((with))~~ or rescind approval of an instructor or training entity? (1) DSHS may ~~((determine not to accept an offer by))~~ deny a person or organization seeking a contract with DSHS to conduct ~~((training programs))~~ orientation, safety, 70-hour basic training, population specific training, specialty training, 30-hour training, 7-hour DDA parent provider training, nurse delegation core training, and nurse delegation specialized diabetes training, on-the-job training, or continuing education. No administrative remedies are available to dispute DSHS' decision not to ~~((accept an offer))~~ contract with or approve a person or organization, except as may be provided through the contracting process.

(2) DSHS may terminate an existing training contract in accordance with the terms of the contract. The contractor's administrative remedies ~~((shall be))~~ are limited to those specified in the contract.

(3) DSHS may terminate an existing training approval of a person or entity to conduct orientation, safety, 70-hour basic training, population specific training, specialty training, 30-hour training, 7-hour DDA parent provider training, nurse delegation core training, and nurse delegation specialized diabetes training, on-the-job training, or continuing education.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1051, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-1055 What are the minimum qualifications for an instructor for basic (including (~~thirty~~) 30-hour and (~~twelve~~) 7-hour DDA parent providers), population specific(~~(+)~~), on-the-job, nurse delegation core, and nurse delegation specialized diabetes trainings?

An instructor for basic (including (~~thirty~~) 30-hour and (~~twelve~~) 7-hour DDA parent providers), population specific(~~(+)~~), on-the-job, nurse delegation core, and nurse delegation specialized diabetes training must meet the following minimum qualifications:

- (1) (~~Twenty-one~~) Be at least 21 years of age;
- (2) Has not had a professional health care, adult family home, enhanced services facility, assisted living facility, or social services license or certification revoked in Washington state; and
- (3) Meets one or more of the following education or work experience requirements upon initial approval or hire:
 - (a) Is a registered nurse with work experience within the last five years with the elderly or persons with disabilities requiring long-term care in a community setting; or
 - (b) Has an associate degree or higher degree in the field of health or human services and six months of professional or caregiving experience within the last five years in an adult family home, enhanced services facility, assisted living facility, supported living through DDA, or home care setting; or
 - (c) Has a high school diploma, or equivalent, and one year of professional or caregiving experience within the last five years in an adult family home, enhanced services facility, assisted living facility, supported living through DDA, or home care setting(~~(+)~~).
- (4) Meets one or more of the following teaching experience requirements:
 - (a) (~~One hundred~~) 100 hours of teaching adults in an appropriate setting on topics directly related to the basic training (~~(for)~~) or basic training topics that may be offered as continuing education; or
 - (b) (~~Forty~~) 40 hours of teaching basic training while being mentored by an instructor who is approved to teach basic training;
- (5) Except for instructors for nurse delegation core and specialized diabetes training, completion of a class on adult education that meets the requirements in WAC 388-71-1066;
- (6) (~~(E)~~) The instructor must be experienced in caregiving practices and demonstrate(~~(s)~~) competency with respect to teaching the course content or units being taught;
- (7) Instructors who will administer tests must have experience or training in assessment and competency testing; and
- (8) Community instructors for nurse delegation core and specialized diabetes trainings must have a current Washington state registered nurse (RN) license in good standing without practice restrictions.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-1055, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1055, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1060 What are the minimum qualifications for an instructor of orientation, safety, and continuing education? (1) An instructor (~~(of)~~) for orientation(~~(,)~~) and safety training(~~(, and continuing education)~~) must be a registered nurse or other person with specific knowledge, training, and work experience (~~(in the provision of direct, personal care or other)~~) relevant (services to the elderly or persons with disabilities requiring long-term care) to the topics required in orientation and safety training.

(2) An instructor for continuing education must be a registered nurse or other person that is proficient in the content they cover in the course or have specific knowledge, training, or experience in the provision of direct, personal care, or other relevant services to the elderly or persons with disabilities requiring long-term care.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1060, filed 12/20/12, effective 1/20/13.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 21-18-081, filed 8/30/21, effective 10/1/21)

WAC 388-71-1064 What are the minimum qualifications for community instructors for adult education training using DSHS curriculum?

(1) The minimum qualifications for community instructors of adult education training using DSHS curriculum, in addition to the general qualifications in WAC 388-71-1055 (1) and (2), include:

(a) The instructor must be experienced in adult education practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Has a bachelor's degree or is a registered nurse with at least one year of education in seminars, conferences, continuing education, or in college classes in subjects directly related to adult education, such as, but not limited to English as a second language (ESL), adult basic education, and adult secondary education (one year of education equals (~~(twenty-four)~~) 24 semester credits in a semester system, (~~(thirty-six)~~) 36 quarter credits in a quarter system, or at least (~~(eighty)~~) 80 hours of seminars, conferences, and continuing education); and

(ii) Successful completion of the DSHS adult education training curriculum prior to beginning to train others;

(c) Meets one or more of the following teaching experience requirements:

(i) Two years of experience teaching long-term care workers; or

(ii) (~~(Two hundred)~~) 200 hours of experience teaching adult education or closely related subjects;

(d) Successful completion of the DSHS instructor qualification/demonstration process; and

(e) Instructor approved and contracted by the department as a community instructor.

(2) Instructors that administer tests must have experience or training in assessment and competency testing.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-71-1064, filed 8/30/21, effective 10/1/21.]

NEW SECTION

WAC 388-71-1067 What are the minimum qualifications for community instructors for mental health specialty training? (1) The minimum qualifications for community instructors for mental health specialty training, in addition to the general qualifications in WAC 388-71-1055 (1) and (2), include:

(a) The instructor must be experienced in mental health caregiving practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education, or accredited college classes, in subjects directly related to mental health, including, but not limited to, psychology (one year of education equals 24 credits in a semester system, 36 credits in a quarter system, or at least 80 hours of seminars, conferences, and continuing education); and

(ii) Successful completion of the mental health specialty training class before the instructor trains others;

(c) Work experience: Two years full-time equivalent direct work experience with people who have a mental illness; and

(d) Teaching experience:

(i) 200 hours experience teaching long-term care related subjects;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-71-1066;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor;

(e) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(2) Five years of full-time equivalent direct work experience with people who have a mental illness may substitute for either:

(a) The credential described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or 80 hours in seminars, conferences, continuing education described in subsection (1)(b)(i) of this section.

(3) If your status is an approved instructor for mental health specialty training, you may instruct a new mental health specialty training curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-71-1066.

[]

NEW SECTION

WAC 388-71-1068 What are the minimum qualifications for community instructors for dementia specialty training? (1) The minimum qualifications for community instructors for mental health specialty training, in addition to the general qualifications in chapter 388-71-1055 (1) and (2), include:

(a) The instructor must be experienced in dementia caregiving practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education, or college classes, in dementia or subjects directly related to dementia, such as, but not limited to, psychology (one year of education equals 24 credits in a semester system, 36 credits in a quarter system, or at least 80 hours of seminars, conferences, or continuing education); and

(ii) Successful completion of the dementia specialty training, prior to beginning to train others;

(c) Work experience: Two years full-time equivalent direct work experience with people who have dementia;

(d) Teaching experience:

(i) 200 hours experience teaching long-term care related subjects;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-71-1066;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor; and

(e) Instructors who will administer tests must have experience or training in assessment and competency testing.

(2) Five years of full-time equivalent direct work experience with people who have dementia may substitute for either:

(a) The credential (bachelor's degree, registered nurse, or mental health specialist) described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or 80 hours in seminars, conferences, continuing education described in subsection (1)(b)(i) of this section.

(3) If your status is an approved instructor for dementia specialty training, you may instruct a new dementia specialty training curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-71-1066.

[]

NEW SECTION

WAC 388-71-1069 What are the minimum qualifications for community instructors to teach expanded specialty trainings? (1) The minimum qualifications for community instructors for mental health specialty training, in addition to the general qualifications in WAC 388-71-1055 (1) and (2), include:

(a) The instructor must be experienced in caregiving practices related to the expanded specialty topic and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, paramedic, emergency medical technician (EMT), mental health specialist, or a specialist with nationally recognized credentials in the expanded specialty topic with at least 80 hours of education in seminars, conferences, continuing education, or accredited college classes, in subjects directly related to expanded specialty topics; and

(ii) Successful completion of the expanded specialty training class before the instructor trains others;

(c) Work experience: Two years full-time equivalent direct work or volunteer experience with people in the specialty topic population; and

(d) Teaching experience:

(i) 200 hours experience teaching;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-71-1066;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor;

(e) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(2) Five years of full-time equivalent direct work experience with people in the specialty topic population may substitute for either:

(a) The credential or degree described in subsection (1)(b)(i) of this section; or

(b) The 80 hours in seminars, conferences, continuing education described in subsection (1)(b)(i).

[]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1076 What is a guest speaker, and what are the minimum qualifications to be a guest speaker? (1) A guest speaker is a person selected by an approved instructor to teach on a specific topic. A guest speaker:

(a) May only teach a specific subject in which ~~((he or she))~~ the guest speaker has ~~((expertise))~~ knowledge, background, and experience that establishes ~~((his or her))~~ expertise on ~~((that specific))~~ the topic they will teach;

(b) May not teach the entire course;

(c) Must not supplant the primary teaching responsibilities of the instructor; and

(d) Must cover the DSHS competencies and learning objectives for the topic ~~((he or she))~~ the guest speaker is teaching.

(2) The approved instructor must:

(a) ~~((Must-e))~~ Ensure the guest speaker meets these minimum qualifications;

(b) Maintain documentation of the guest speaker's qualifications and ~~((background))~~ experience;

(c) Supervise and monitor the guest speaker's performance; and

(d) ~~((Is))~~ Be responsible for ensuring the required content is taught.

(3) DSHS does not approve guest speakers.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1076, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1091 What physical resources are required for classroom training and testing? (1) ~~((Classroom facilities used for classroom training must be accessible))~~ The training entity must provide accessible classroom facilities to students and provide adequate space for learning activities, comfort, lighting, lack of disturbance, and tools for effective teaching and learning, such as white boards and ~~((flip))~~ charts. ~~((A))~~ The training entity must maintain appropriate supplies and equipment ~~((must be provided))~~ for teaching and practice of caregiving skills in the class being taught.

(2) ~~((Testing sites for nurse delegation core and specialized diabetes training must provide))~~ The training entity must provide testing sites with adequate space for testing, comfort, lighting, and lack of disturbance appropriate for the written or skills test being conducted. ~~((A))~~ The training entity must maintain appropriate supplies and equipment necessary for the particular test must be provided.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1091, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1096 What standard training practices must be maintained for classroom training and testing? ~~((The following training standards must be maintained))~~ The training entity must maintain the following training standards for classroom training and testing:

(1) Training must not exceed eight hours within one day;

(2) Training provided in short time segments must include an entire unit, skill, or concept;

(3) Training must include regular breaks; and

(4) Long-term care workers attending classroom training must not be expected to leave the class to attend job duties, except in an emergency.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1096, filed 12/20/12, effective 1/20/13.]

COMPETENCY TESTING (~~(FOR NURSE DELEGATION CORE AND SPECIALIZED DIABETES TRAINING)~~)

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1106 What components must competency testing include?

- (1) Competency testing must include the following components:
- ~~((1))~~ (a) Skills demonstration of ability to perform and ~~((/or))~~ implement specific caregiving approaches, and ~~((/or))~~ activities as appropriate to the training;
 - ~~((2))~~ (b) Written evaluation to show the level of comprehension and knowledge of the training's learning objectives ~~((included in the training))~~; and
 - ~~((3))~~ (c) A scoring guide for the tester with clearly stated ~~((scoring))~~ criteria and minimum proficiency standards.
- (2) Instructors who conduct competency testing must have experience or training in assessing competencies.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1106, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1111 (~~(What experience or training must individuals have to be able to perform competency testing)~~) Which trainings must include the DSHS developed competency test? ~~((Individuals who perform competency testing must have documented experience or training in assessing competencies.))~~ The following trainings must include the DSHS developed competency test:

- (1) Dementia specialty training;
- (2) Mental health specialty training;
- (3) Developmental disabilities specialty training;
- (4) Expanded specialty training;
- (5) Nurse delegation core training; and
- (6) Nurse delegation specialized diabetes training.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1111, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1120 How must competency test administration be standardized? To standardize competency test administration, testing must include the following components:

(1) ~~((An instructor for the course who meets all minimum qualifications for the course he or she teaches must oversee))~~ The person teaching the course must administer or supervise the administration of all testing; and

(2) The tester must follow the DSHS guidelines for:

(a) The maximum length of time allowed for ~~((the))~~ testing;

(b) The amount and nature of instruction given ~~((long-term care workers))~~ to students before beginning a test;

(c) The amount of assistance to ~~((long-term care workers))~~ students allowed during testing;

(d) The accommodation guidelines for ~~((long-term care workers))~~ students with disabilities; and

(e) Accessibility guidelines for ~~((long-term care workers))~~ students with limited English proficiency.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1120, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1125 What form of identification must ~~((long-term care workers))~~ students show before taking a competency or challenge test? ~~((Long-term care workers))~~ Students must ~~((show))~~ provide photo identification before taking a competency or challenge test.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1125, filed 12/20/12, effective 1/20/13.]

AMENDATORY SECTION (Amending WSR 13-02-023, filed 12/20/12, effective 1/20/13)

WAC 388-71-1130 How many times may a competency or challenge test be taken? ~~((For the trainings under WAC 388-71-0936 and 388-71-0941, competency testing))~~ (1) A competency test that is part of a course may be taken twice. If the test is failed a second time, the person must retake the course ((before taking the test for that course again)) before any additional tests are administered.

(2) If a challenge test is available for a course, it may be taken only once. If the test is failed, the person must take the classroom course.

[Statutory Authority: RCW 74.08.090, 74.09.520. WSR 13-02-023, § 388-71-1130, filed 12/20/12, effective 1/20/13.]

~~((SECTION I-))~~ DEFINITIONS, PURPOSE, AND APPLICABILITY

AMENDATORY SECTION (Amending WSR 21-11-090, filed 5/18/21, effective 6/18/21)

WAC 388-112A-0105 Who is required to obtain home care aide certification and by when? ~~((Unless exempt under WAC 246-980-025, the following individuals must be certified by the department of health as a home care aide within the required time frames:))~~

(1) All long-term care workers ~~((, within two hundred days of the date of hire;))~~ must obtain home care aide certification as provided in chapter 246-980 WAC.

(2) ~~((If a long-term care worker is limited-English proficient and the department of health has issued a provisional certification, within two hundred sixty days of the date of hire;))~~ The following individuals must obtain home care aide certification as follows:

~~((3))~~ (a) Adult family home applicants, before licensure;

~~((4))~~ (b) Adult family home entity representatives and resident managers, before assuming the duties of the position;

~~((5))~~ (c) Assisted living facility administrators or their designees, within ~~((two hundred))~~ 200 calendar days of the date of hire ~~((;))~~;

~~((6))~~ (d) Enhanced services facility applicants, before licensure; and

~~((7))~~ (e) Enhanced services facility administrators or their designees, within ~~((two hundred))~~ 200 days of the date of hire.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, and 71A.12.030. WSR 21-11-090, § 388-112A-0105, filed 5/18/21, effective 6/18/21; WSR 17-22-036, § 388-112A-0105, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0110 May a home employ a long-term care worker who has not completed the ~~((seventy))~~ 70-hour ~~((long-term care worker basic))~~ home care aide training or certification requirements? (1) If an individual previously worked as a long-term care worker, but did not complete the training or certification requirements under RCW 18.88B.041, 74.39A.074, 74.39A.076, and this chapter, an adult family home, enhanced services facility, or assisted living facility must not employ the individual to work as a long-term care worker until the individual has completed the required training or certification unless the date of hire has been reset as described under subsection (2) of this section.

(2) The original date of hire may be reset once for each home care aide applicant after a minimum of one year has passed since the

initial date of hire. If chapter 246-980 WAC provides for additional resets for date of hire, chapter 246-980 shall supersede.

(3) Individuals who meet the criteria in subsection (2) of this section are allowed a new ~~((one hundred twenty))~~ 120 days to complete the orientation, safety, and ~~((seventy))~~ 70-hour ~~((long-term care worker))~~ home care aide basic trainings and a new ~~((two hundred))~~ 200 days to become certified as a home care aide, if required by WAC 246-980-020.

(4) Individuals who meet the criteria in subsection (2) of this section must submit a new application and fee to the department of health.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0110, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0115 How ~~((do we))~~ does DSHS determine a long-term care worker's date of hire? (1) The department determines a long-term care worker's date of hire ~~((under RCW 18.88B.021(1) by one of the following, whichever occurs first:))~~ according to chapter 246-980 WAC.

~~((a) The initial service begin date when hired as an individual provider;~~

~~((b) The date of hire when the individual was paid to provide personal care by a home care agency; or~~

~~((c) The date of hire when the individual was paid to provide personal care by a home licensed by the state.))~~

(2) The date of hire is specific to each long-term care worker. It does not change when a long-term care worker changes clients or employers unless the long-term care worker meets the criteria in WAC 388-112A-0110.

(3) This section does not apply to background check requirements under this chapter.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0115, filed 10/24/17, effective 11/24/17.]

DOCUMENTATION REQUIREMENTS

NEW SECTION

WAC 388-112A-0118 What documentation is required for completion of each training? (1) Orientation, safety, basic training including core basic, population specific and the 75-hour certificate, continuing education, nurse delegation core and specialized diabetes training, specialty and expanded specialty training, adult education training, and adult family home administrator training must be documented by a certificate, transcript, or proof of successful completion of training issued by a qualified instructor or qualified training entity that includes:

- (a) The name of the student;
- (b) The title of the training as approved by the department;
- (c) For continuing education, the department assigned curriculum approval code;
- (d) The number of hours of the training;
- (e) The name and identification number of the training entity;
- (f) The instructor's name;
- (g) For core basic training, the instructor's name and identification number;
- (h) The instructor's signature or an authorized signature from the training entity the qualified instructor is training on behalf of; and
- (i) The completion date of the training.

(2) The long-term care worker must be given documentation of the proof of completion of the training that the student should retain. The provider and the training entity must keep a copy of the proof of completion as described in WAC 388-76-10198 for adult family homes, chapter 388-107 WAC for enhanced services facilities, and WAC 388-78A-2450 for assisted living facilities.

(3) An instructor who is approved for Core Basic may sign a 75-hour certificate from the same training program.

[]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0120 What documentation is required for a long-term care worker to apply for the home care aide certification or recertification?

(1) Successful completion of ~~((seventy))~~ the 70-hour ~~((long-term care worker))~~ home care aide basic training, the two hours of orientation, and the three hours of safety training (referred to collectively as the ~~((seventy-five))~~ 75-hours of training) must be documented on a DSHS ~~((seventy-five))~~ 75-hour training certificate by an approved training entity verifying that a total of ~~((seventy-five))~~ 75 hours of approved training have occurred.

(2) An approved training entity issuing and signing a DSHS ~~((seventy-five))~~ 75-hour training certificate must verify that the long-term care worker has the certificates required documenting two hours of DSHS-approved orientation, three hours of DSHS-approved safety training, and the ~~((seventy))~~ 70-hour long-term care worker basic training, as described in this chapter. When applying to the department of health for home care aide certification, the long-term care

worker may only submit a (~~seventy-five~~) 75-hour training certificate that has been issued by the department or the training partnership.

(3) For annual home care aide recertification, successful completion of (~~twelve~~) 12 hours of DSHS approved continuing education training must be documented on a certificate(s) or transcript(s) issued by a department approved training entity.

(4) The long-term care worker, certified home care aide, and employer must retain any (~~twelve~~) 12-hour continuing education training certificates, (~~or~~) transcripts, or other approved proof of completion for as long as the long-term care worker is employed.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0120, filed 10/24/17, effective 11/24/17.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-0125 Prior to hiring a long-term care worker, what training and certification requirements must be reviewed? Before hiring a long-term care worker, the home must review and verify the following training and certification information. The home must verify the highest level of training or certification achieved by the individual.

(1) When the individual is a home care aide certified under chapter 18.88B RCW, the home must:

(a) Verify that the individual's home care aide certification is current and in good standing;

(b) Confirm and document that the individual is in compliance with continuing education as required under WAC 388-112A-0610, 388-112A-0611, or 388-112A-0612 for the compliance year in which they are hired; and

(c) Confirm that the specialty training (~~is~~) has been or will be completed as required under WAC 388-112A-0495.

(2) When the individual is exempt from the (~~seventy~~) 70-hour (~~long-term care worker~~) home care aide training and certification requirements under WAC 388-112A-0090, the home must obtain, review, and verify the following:

(a) Documents demonstrating that the individual is exempt from training and certification which may include:

(i) Washington state provider credential number, showing that the individual's license or certification is current and in good standing; or

(ii) A letter from a former or current employer documenting work history during the exemption period described in WAC 388-112A-0090; or

(iii) Employment history records from the Washington state employment security department documenting work history information during the exemption period; or

(iv) Federal tax statements documenting work history information during the exemption period; or

(v) Documents showing completion of the basic training as required under WAC 388-112A-0090; and

(b) Compliance with continuing education requirements as required under WAC 388-112A-0610, 388-112A-0611, or 388-112A-0612; and

(c) Compliance with specialty training if required under WAC 388-112A-0495.

(3) The home must comply with continuing education documentation requirements under WAC (~~388-112A-0620~~) 388-112A-0118. When hiring an individual who worked as a long-term care worker during the previous calendar year, an employer must verify documentation of continuing education compliance during the calendar year in which the individual is hired.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-0125, filed 6/30/20, effective 7/31/20.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-0130 When and how may a long-term care worker be eligible to (~~have their date of hire~~) reset date of hire? An individual who has worked as a long-term care worker in the past, but who did not complete the training or certification that was required at the time, may be eligible to have the date of hire reset in accordance with this section and WAC 388-112A-0110. If chapter 246-980 WAC provides for additional resets for date of hire, chapter 246-980 WAC shall supersede.

(1) An individual who is eligible to reset the date of hire under WAC 388-112A-0110 must submit a new application and fee to the department of health in accordance with WAC 388-112A-0110, and adhere to the training or certification requirements under this chapter.

(2) An individual who is not eligible to reset the date of hire as provided in WAC 388-112A-0110 must not be paid to provide personal care assistance until they complete required training and become certified as a long-term care worker.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-0130, filed 6/30/20, effective 7/31/20.]

(~~SECTION II~~) ORIENTATION AND SAFETY TRAINING

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0200 What is orientation training, who should complete it, and when should it be completed? There are two types of orientation training: Facility orientation training and long-term care worker orientation training.

(1) Facility orientation. Individuals who are exempt from certification as described in RCW 18.88B.041 and volunteers are required to complete facility orientation training before having routine interaction with residents. This training provides basic introductory information appropriate to the residential care setting and population served. The department does not approve this specific orientation program, materials, or trainers. No test is required for this orientation.

(2) Long-term care worker orientation. Individuals required to complete the ~~((seventy))~~ 70-hour ~~((long-term care worker))~~ home care aide basic training must complete long-term care worker orientation, which is two hours of training regarding the long-term care worker's role and applicable terms of employment as described in WAC 388-112A-0210.

(a) All long-term care workers who are not exempt from home care aide certification as described in RCW 18.88B.041 hired on or after January 7, 2012, must complete two hours of long-term care worker orientation training before providing care to residents.

(b) Long-term care worker orientation training, unless taken through a department approved online training program, must be provided by qualified instructors that meet the requirements in WAC 388-112A-1260.

(c) The department must approve long-term care worker orientation curricula and instructors.

(d) There is no competency test for long-term care worker orientation.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0200, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0210 What content must be included in facility and long-term care worker orientation? (1) For those individuals identified in WAC 388-112A-0200(1) who must ~~((complete))~~ complete facility orientation training:

(a) Orientation training may include the use of video~~((tape))~~s, audio~~((tapes))~~ recordings, and other media if the person overseeing the orientation is available to answer questions or concerns for the person(s) receiving the orientation. Facility orientation must include introductory information in the following areas:

(i) The care setting;

(ii) The characteristics and special needs of the population served;

(iii) Fire and life safety, including:

- (A) Emergency communication (including phone system if one exists);
- (B) Evacuation planning (including fire alarms and fire extinguishers where they exist);
- (C) Ways to handle resident injuries and falls or other accidents;
- (D) Potential risks to residents or staff (for instance, (~~aggressive~~) challenging resident behaviors and how to handle them); and
- (E) The location of home policies and procedures;
- (iv) Communication skills and information, including:
 - (A) Methods for supporting effective communication among the resident/guardian, staff, and family members;
 - (B) Use of verbal and nonverbal communication;
 - (C) Review of written communications and documentation required for the job, including the resident's service plan;
 - (D) Expectations about communication with other home staff; and
 - (E) Who to contact about problems and concerns;
 - (v) (~~Universal~~) Standard precautions and infection control, including:
 - (A) Proper hand washing techniques;
 - (B) Protection from exposure to blood and other body fluids;
 - (C) Appropriate disposal of contaminated/hazardous articles;
 - (D) Reporting exposure to contaminated articles, blood, or other body fluids; and
 - (E) What staff should do if they are ill;
 - (vi) Resident rights, including:
 - (A) The resident's right to confidentiality of information about the resident;
 - (B) The resident's right to participate in making decisions about the resident's care and to refuse care;
 - (C) Staff's duty to protect and promote the rights of each resident and assist the resident to exercise (~~his or her~~) these rights;
 - (D) How staff should report concerns they may have about a resident's decision (~~on his or her~~) pertaining to their care and who they should report these concerns to;
 - (E) Staff's duty to report any suspected abuse, abandonment, neglect, or exploitation of a resident;
 - (F) Advocates that are available to help residents (such as long-term care ombudsmen and organizations); and
 - (G) Complaint lines, hot lines, and resident grievance procedures such as, but not limited to:
 - (~~(i)~~) (I) The DSHS complaint hotline at 1-800-562-6078;
 - (~~(ii)~~) (II) The Washington state long-term care ombudsman program;
 - (~~(iii)~~) (III) The Washington state department of health and local public health departments;
 - (~~(iv)~~) (IV) The local police;
 - (~~(v)~~) (V) Facility grievance procedure; and
- (b) In adult family homes, safe food handling information must be provided to all staff, prior to handling food for residents.
- (2) For long-term care worker orientation required of those individuals identified in WAC 388-112A-0200(2), long-term care worker orientation is a two hour training that must include introductory information in the following areas:
 - (a) The care setting and the characteristics and special needs of the population served;
 - (b) Basic job responsibilities and performance expectations;

- (c) The care plan or negotiated service agreement, including what it is and how to use it;
 - (d) The care team;
 - (e) Process, policies, and procedures for observation, documentation, and reporting;
 - (f) Resident rights protected by law, including the right to confidentiality and the right to participate in care decisions or to refuse care and how the long-term care worker will protect and promote these rights;
 - (g) Mandatory reporter law and worker responsibilities as required under chapter 74.34 RCW; and
 - (h) Communication methods and techniques that may be used while working with a resident or guardian and other care team members.
- (3) One hour of completed classroom instruction or other form of training (such as a video or online course) in long-term care orientation training equals one hour of training. The training entity must establish a way for the long-term care worker to ask the instructor questions.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0210, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0220 What is safety training, who must complete it, and when should it be completed? (1) Safety training is part of the long-term care worker requirements. It is a three hour training that must meet the requirements ~~((of))~~ as described in WAC 388-112A-0230, and include basic safety precautions, emergency procedures, and infection control. Safety training must be completed prior to providing care to a resident.

(2) ~~((The following individuals must complete safety training: (a-))~~ All long-term care workers who are not exempt from home care aide certification as described in RCW 18.88B.041 hired after January 7, 2012, must complete three hours of safety training. This safety training must be provided by qualified instructors ~~((that))~~ who meet the requirements in WAC 388-112A-1260.

(3) The department must approve safety training curricula and instructors.

(4) There is no competency test for safety training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0220, filed 10/24/17, effective 11/24/17.]

~~((SECTION III))~~ BASIC TRAINING

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0310 What topics must be taught in the core competencies of the ~~((seventy)) 70-hour ((long-term care worker basic training for long-term care workers)) home care aide basic training?~~ home care aide basic training? ~~((The core competencies of the seventy-hour long-term care worker))~~ The 70-hour home care aide basic training for long-term care workers must include all of the competencies described in WAC 388-112A-0320 and the following topics:

- (1) Communication skills;
- (2) Long-term care worker self-care;
- (3) Problem solving;
- (4) Resident rights and maintaining dignity;
- (5) Abuse, abandonment, neglect, financial exploitation, and mandatory reporting;
- (6) Resident directed care;
- (7) Cultural sensitivity;
- (8) Body mechanics;
- (9) Fall prevention;
- (10) Skin and body care;
- (11) Long-term care worker roles and boundaries;
- (12) Supporting activities of daily living;
- (13) Food preparation and handling;
- (14) Medication assistance;
- (15) Infection control, bloodborne pathogens, HIV/AIDS; and
- (16) Grief and loss.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0310, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0320 What are the core competencies and learning objectives for the ~~((seventy)) 70-hour ((long-term care worker basic)) home care aide training?~~ home care aide training? The ~~((seventy)) 70-hour ((long-term care worker))~~ home care aide basic training includes core competencies that describe the behavior and skills that a long-term care worker must exhibit when working with residents and the learning objectives associated with each competency as follows:

- (1) ~~((Regarding communication, e))~~ Communicate effectively and in a respectful and appropriate manner with residents, family members, and care team members:

- (a) Recognize how verbal and nonverbal cues impact communication with the resident and care team;
 - (b) Engage and respect the resident through verbal and nonverbal communication;
 - (c) Listen attentively and determine that the resident, when able, understands what has been communicated;
 - (d) Recognize and acknowledge resident's communication including indicators of pain, confusion, or misunderstanding;
 - (e) Utilize communication strategies to deal with difficult situations; and
 - (f) Recognize common barriers to effective communication and identify how to eliminate them.
- (2) Regarding long-term care worker self-care:
- (a) Identify behaviors, practices, and resources to reduce stress and avoid burnout;
 - (b) Recognize common barriers to self-care and ways to overcome them; and
 - (c) Recognize aspects of a long-term care worker's job that can lead to stress and burnout, common signs and symptoms of stress and burnout, and the importance of taking action to practice self-care to avoid burnout.
- (3) Regarding the competency of effective problem solving, use effective problem solving skills:
- (a) Explain why it is necessary to understand and utilize a problem solving method;
 - (b) Implement a problem solving process/method; and
 - (c) Identify obstacles to effective problem solving and ways to overcome them.
- (4) Regarding the competency of resident rights and dignity, take appropriate action to promote and protect a resident's legal and human rights as protected by federal and Washington state laws, including:
- (a) Protect a resident's confidentiality including what is considered confidential information, who a long-term care worker is allowed or not allowed to give confidential information to, and how to respond if a (~~non-care~~) non-care team member asks for confidential information;
 - (b) Promote a resident's dignity and privacy and encourage and support a resident's maximum independence when providing care;
 - (c) Maintain a restraint-free environment, including physical, chemical, and environmental restraints and use common, safe alternatives to restraint use; and
 - (d) Protect and promote the resident's right to live free of abuse, neglect, abandonment, and financial exploitation.
- (5) Regarding the competency of recognizing indicators of abuse and understanding the mandatory reporting requirements, recognize the signs of abuse and report suspected abuse, abandonment, neglect, and financial exploitation:
- (a) Describe long-term care workers' responsibilities as a mandatory reporter as described in RCW 74.34.020 through 74.34.053; and
 - (b) Identify common indications of abuse, abandonment, neglect, and financial exploitation.
- (6) Regarding the competency of resident directed care, take appropriate action when following a resident's direction regarding (~~his or her~~) care:
- (a) Describe a worker's role in resident directed care including determining, understanding, and supporting a resident's choices;

- (b) Describe the importance and impact of resident directed care on a resident's independence, self-determination, and quality of life;
 - (c) Identify effective problem solving strategies that help balance a resident's choice with personal safety; and
 - (d) Report concerns when a resident refuses care or makes choices that present a possible safety concern.
- (7) Regarding the competency of cultural sensitivity, provide culturally appropriate care:
- (a) Describe how cultural background, lifestyle practices, and traditions can impact care; and
 - (b) Use methods to determine and ensure that these are respected and considered when providing care.
- (8) Regarding the competency of body mechanics, utilize current best practices and evidence-based methods of proper body mechanics while performing tasks as outlined in the ((service)) care plan.
- (9) Regarding the competency of fall prevention:
- (a) Identify fall risk factors and take action to reduce fall risks for a resident; and
 - (b) Take proper steps to assist a resident who is falling or has fallen.
- (10) Regarding the competency of skin and body care, use of personal care practices that promote and maintain skin integrity:
- (a) Explain the importance of observing a resident's skin, when to observe it, and what to look for, including common signs and symptoms of skin breakdown;
 - (b) Identify risk factors of skin breakdown;
 - (c) Observe skin at pressure point locations and report any concerns;
 - (d) Describe what a pressure ulcer is, what it looks like, and what action to take if a resident appears to be developing or develops a pressure ulcer;
 - (e) Describe current best practices that protect and maintain a resident's skin integrity including position changes when sitting or lying for extended periods, and proper positioning and transfer techniques;
 - (f) Implement current best practices that promote healthy skin including hygiene, nutrition, hydration, and mobility; and
 - (g) Identify when to report skin changes and who to report them to.
- (11) Regarding the competency on long-term care worker roles and boundaries, adhere to basic job standards, expectations, and requirements and maintain professional boundaries:
- (a) Identify when, how, and why to obtain information from appropriate sources about a resident's condition or disease for which they are receiving services and describe how to use this information to provide appropriate, individualized care;
 - (b) Describe a resident's baseline functioning level using information provided in the service plan and explain why it is important to know a resident's baseline;
 - (c) Identify changes in a resident's physical, mental, and emotional state through observation;
 - (d) Report changes from baseline and concerns to the appropriate care team member(s);
 - (e) Identify basic job standards and requirements (such as coming to work on time) and describe how maintaining these standards are critical to a resident's safety and well-being;

- (f) Explain the purpose of a service plan and describe how it is created, used, and modified;
- (g) Use a resident's service plan to direct a worker's job tasks and any resident directed care tasks;
- (h) Identify what is required of a long-term care worker, as described in WAC 388-112A-0550, prior to performing a nurse-delegated task;
- (i) Describe the role of a care team and a long-term care worker's role in the care team;
- (j) Describe professional boundaries and the importance of maintaining them; and
- (k) Identify signs of unhealthy professional boundaries, barriers to keeping clear professional boundaries, and ways to avoid or eliminate them.
- (12) Regarding the competency on supporting activities of daily living, perform required personal care tasks to the level of assistance needed and according to current best practices and evidence-based guidelines:
- (a) Demonstrate, in the presence of a qualified instructor, all critical steps required for personal care tasks including but not limited to:
- (i) Helping a resident walk;
 - (ii) Transferring a resident from a bed to a wheelchair;
 - (iii) Turning and repositioning a resident in bed;
 - (iv) Providing oral care;
 - (v) Cleaning and storing dentures;
 - (vi) Shaving a face;
 - (vii) Providing fingernail care;
 - (viii) Providing foot care;
 - (ix) Providing a bed bath;
 - (x) Assisting a resident with a weak arm to dress;
 - (xi) Putting knee-high elastic stockings on a resident;
 - (xii) Providing passive range of motion for one shoulder;
 - (xiii) Providing passive range of motion for one knee and ankle;
 - (xiv) Assisting a resident to eat;
 - (xv) Assisting with peri-care;
 - (xvi) Assisting with the use of a bedpan;
 - (xvii) Assisting with catheter care;
 - (xviii) Assisting with condom catheter care; and
 - (xix) Providing medication assistance;
- (b) In the process of performing the personal care tasks, use proper body mechanics, listen attentively, speak clearly and respectfully while explaining what the long-term care worker is doing, incorporate resident preferences, maintain privacy and dignity, support the resident's level of ability, and assure (~~his or her~~) the resident's comfort and safety;
- (c) Appropriately utilize assistive device(s) specified on the service plan;
- (d) Describe any safety concerns related to each task and how to address the concerns;
- (e) Demonstrate an understanding of bowel and bladder functioning, including factors that promote healthy bowel and bladder functioning, and the signs, symptoms, and common causes of abnormal bowel and bladder function; and
- (f) Identify the importance of knowing a resident's bowel and bladder functioning baseline and when to report changes.

(13) Regarding the core competency on food preparation and handling, plan and prepare meals using a basic knowledge of nutrition and hydration, incorporating any diet restrictions or modifications, and prevent food_borne illness by preparing and handling food in a safe manner:

(a) Describe how nutrition and hydration can impact a resident's health;

(b) Plan, shop, and prepare meals for a resident according to the guidelines of good nutrition and hydration, incorporating any dietary requirements and restrictions per the service plan and resident preferences;

(c) Describe common signs of poor nutrition and hydration, when to report concerns, and who to report concerns to;

(d) Understand that diet modification is required for certain health conditions, including dysphagia, and describe how to identify diet modifications required for a resident;

(e) Recognize when a resident's food choices vary from specifications on the care plan and describe when to report concerns and who to report them to;

(f) Describe what causes food_borne illness, the risks associated with food borne illness, and examples of potentially hazardous foods;

(g) Describe appropriate food handling practices, including:

(i) Avoiding cross contamination from one food to another;

(ii) Safe storage requirements for cooling of leftover foods, including:

(A) Depth;

(B) Types of containers and temperatures;

(C) The need to maintain food at proper temperatures to limit bacterial growth; and

(D) What are the safe food storage and holding temperatures for both cold and hot foods;

(iii) Best practices for thawing and reheating food; and

(iv) Using clean gloves (if possible) and clean utensils when preparing food;

(h) Describe the importance and correct procedure for cleaning and disinfecting food contact surfaces; and

(i) Describe why a long-term care worker with certain types of illnesses and symptoms must not prepare food.

(14) Regarding the competency of medication assistance, appropriately assist with medications:

(a) Identify what a long-term care worker is allowed and not allowed to do when assisting with medications as described in chapter 246-888 WAC;

(b) Define terms related to medication assistance including prescription drugs, over the counter medications, and as needed (PRN) medications, medication side effects, and drug interactions;

(c) Identify common symptoms of medication side effects, when to report concerns, and who to report them to;

(d) Store medications according to safe practices and the label instructions;

(e) Describe, in the proper sequence, each of the five rights of medication assistance; and

(f) Identify what to do for medication-related concerns, including describing ways to work with a resident who refuses to take medications, identifying when to report when a resident refuses medication, or there are other medication-related concerns, ((and)) who to report these concerns to, and identifying what is considered a medica-

tion error, when to report a medication error, and who to report it to.

(15) Regarding the competency of infection control and bloodborne pathogens including HIV/AIDS, implement best practices to prevent and control the spread of infections:

(a) Identify commonly occurring infections, ways that infections are spread, and symptoms of infections;

(b) Describe the purpose, benefit, and proper implementation of standard precautions in infection control;

(c) Implement current best practices for controlling the spread of infection, including the use of hand_washing and gloves;

(d) Demonstrate proper hand_washing and putting on and taking off gloves;

(e) Identify immunizations that are recommended for adults to reduce the spread of virus and bacteria;

(f) Describe laundry and housekeeping measures that help in controlling the spread of infection;

(g) Describe proper use of cleaning agents that destroy microorganisms on surfaces;

(h) Describe what bloodborne (BB) pathogens are and how they are transmitted;

(i) Identify the major BB pathogens, diseases, and high-risk behaviors for BB diseases;

(j) Identify measures to take to prevent BB diseases;

(k) Describe what to do if exposed to BB pathogens and how to report an exposure;

(l) Describe how HIV works in the body;

(m) Explain that testing and counseling for HIV/AIDS is available;

(n) Describe the common symptoms of HIV/AIDS;

(o) Explain the legal and ethical issues related to HIV including required reporting, confidentiality, and nondiscrimination; and

(p) Explain the importance of emotional issues and support for residents and long-term care workers.

(16) Regarding the competency on grief and loss, support yourself and the resident in the grieving process:

(a) Define grief and loss;

(b) Describe common losses a resident and long-term care worker may experience;

(c) Identify common symptoms associated with grief and loss;

(d) Describe why self-care is important during the grieving process; and

(e) Identify beneficial ways and resources to work through feelings of grief and loss.

(17) Long-term care workers who complete a DSHS approved basic training meet the training requirements for adult family homes in RCW 70.128.250.

(18) Long-term care workers who complete a DSHS approved basic training meet the four hours of AIDS education as required by the department of health in WAC 246-980-040.

(19) Regarding the competency on identifying indicators of hearing loss, which may be part of the basic training or population specific hours:

(a) Identify common symptoms associated with hearing loss; and

(b) Identify what to do for hearing loss related concerns, including describing ways to communicate with a resident who is experi-

encing hearing loss and identifying when and to whom to report when a resident's hearing ability changes.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0320, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0330 What is on-the-job training? (1) Effective July 1, 2012, on-the-job training is a method of training where the long-term care worker successfully demonstrates in the ((seventy)) 70-hour ((long-term care worker)) home care aide basic training, the core competencies in personal care and infection control skills while working with a resident on the job, instead of in a practice training setting.

(2) A qualified instructor as defined in WAC 388-112A-1240 provides on-the-job training and directly observes, coaches, and rein((-))forces skills training for up to two long-term care workers at a time. The qualified instructor who provides the on-the-job training:

(a) Need not be the same instructor who taught the core competency training; and

(b) May be the immediate supervisor of the long-term care worker who receives the on-the-job training.

(3) The person who oversees on-the-job training must:

(a) Submit DSHS required forms and become an approved instructor for the core competency of basic training;

(b) Verify on a department approved skills checklist the long-term care worker's successful completion of the demonstrated skills; and

(c) Not relinquish ((his or her)) required duties to trainee caregivers when acting as a trainer.

(4) The department must approve the number of on-the-job hours included in the ((seventy)) 70-hour ((long-term care worker)) home care aide basic training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0330, filed 10/24/17, effective 11/24/17.]

((SECTION IV--)) SPECIALTY TRAINING

~~((SECTION V--))~~ NURSE DELEGATION CORE AND SPECIALIZED DIABETES TRAINING

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0520 Is competency testing required for nurse delegation core or specialized diabetes training? Passing the DSHS competency test is required for successful completion of nurse delegation core or specialized diabetes training, as provided under WAC 388-112A-0900 through 388-112A-0950.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0520, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 21-11-090, filed 5/18/21, effective 6/18/21)

WAC 388-112A-0550 Who is required to complete nurse delegation core training and nurse delegation specialized diabetes training and by when? (1) Before performing any delegated nursing task, long-term care workers in adult family homes and assisted living facilities must:

- (a) Successfully complete the DSHS designated nurse delegation core training, "nurse delegation for nursing assistants & home care aides";
- (b) Be one or more of the following:
 - (i) Certified home care aide under chapter 18.88B RCW;
 - (ii) Nursing assistant certified under chapter 18.88A RCW~~((+))~~ .
~~((+iii))~~ (2) If the long-term care worker is exempt from the home care aide certification under WAC 246-980-025, the long-term care worker must be a nursing assistant registered and complete the core competencies of basic training, unless they already completed the ~~((twenty-eight))~~ 28 hours of revised fundamentals of care or a department approved alternative;
 - ~~((+iv))~~ (3) If nurse delegation is needed to implement a care plan or negotiated service agreement earlier than home care aide certification can be obtained, the long-term care worker must become a nursing assistant registered and complete core competencies (the core basic training) of the ~~((seventy))~~ 70-hour long-term care worker basic training.
 - ~~((+2))~~ (4) Before long-term care workers in adult family homes and assisted living facilities may perform the task of insulin injections, the long-term care workers must:
 - (a) Meet the requirements in subsection (1)(a) and (b) of this section; and

(b) Successfully complete the DSHS designated specialized diabetes nurse delegation training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, and 71A.12.030. WSR 21-11-090, § 388-112A-0550, filed 5/18/21, effective 6/18/21; WSR 17-22-036, § 388-112A-0550, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0560 What is (~~specialized diabetes~~) nurse delegation specialized diabetes training? (1) (~~Specialized diabetes n~~) Nurse delegation specialized diabetes training is the required training for certified or registered nursing assistants or certified home care aides, who will be delegated the task of insulin injections.

(2) DSHS approves the instructors for (~~specialized diabetes~~) nurse delegation specialized diabetes training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0560, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0580 Is there a challenge test for (~~specialized diabetes nurse delegation training~~) nurse delegation core or specialized diabetes training? There is no challenge test for (~~specialized diabetes nurse delegation training~~) nurse delegation core or specialized diabetes training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0580, filed 10/24/17, effective 11/24/17.]

(~~SECTION VI~~) CONTINUING EDUCATION

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-0610 Who in an adult family home is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed?

(1) The continuing education training requirements that apply to certain individuals working in adult family homes are described below.

(a) The following long-term care workers must complete ~~((twelve))~~ 12 hours of continuing education by their birthday each year:

(i) A certified home care aide;

(ii) A long-term care worker who is exempt from the ~~((seventy))~~ 70-hour ~~((long-term care worker))~~ home care aide basic training under WAC 388-112A-0090 (1) and (2);

(iii) A certified nursing assistant, and a person with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(iv) An adult family home provider, entity representative, and resident manager as provided under WAC 388-112A-0050.

(b) A long-term care worker who is a certified home care aide, must comply with continuing education requirements under chapter 246-980 WAC.

(c) The continuing education requirements of this section do not apply to a registered nurse, a licensed practical nurse, and an advanced registered nurse practitioner licensed under chapter 18.79 RCW, even if voluntarily certified as a home care aide under chapter 18.88B RCW.

(d) If exempt from certification under RCW 18.88B.041, a long-term care worker must complete ~~((twelve))~~ 12 hours of continuing education within ~~((forty-five))~~ 45 calendar days of being hired by the adult family home or by the long-term care worker's birthday in the calendar year hired, whichever is later; and

(i) Must complete ~~((twelve))~~ 12 hours of continuing education by the long-term care worker's birthday each calendar year worked thereafter; or

(ii) If the ~~((forty-five))~~ 45 calendar day time period allows the long-term care worker to complete continuing education in January or February of the following year, the hours of credit earned will be applied to the calendar year in which the long-term care worker was hired.

(e) If the birthday following initial certification as a home care aide or nursing assistant (NA-C) is less than a full year from the date of certification, no continuing education will be due for the first renewal period.

~~((f) Continuing education must include one half hour per year on safe food handling in adult family homes as described in RCW 70.128.250 for a long-term care worker who does not maintain a food handler's permit, and completed basic or modified basic caregiver training before June 30, 2005. A long-term* care worker who completed basic or modified basic training after June 30, 2005 is not required to have a food handler's permit.))~~

(2) A long-term care worker who does not complete continuing education as required under this chapter must not provide care until the required continuing education is completed.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-0610, filed 6/30/20, effective 7/31/20. Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0610, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-0611 Who in an assisted living facility is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed?

(1) The continuing education training requirements that apply to certain individuals working in assisted living facilities are described below.

(a) The following long-term care workers must complete (~~twelve~~) 12 hours of continuing education by their birthday each year:

(i) A certified home care aide;

(ii) A long-term care worker who is exempt from the (~~seventy~~) 70-hour (~~long-term care worker~~) home care aide basic training under WAC 388-112A-0090 (1) and (2);

(iii) A certified nursing assistant;

(iv) A person with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(v) An assisted living facility administrator or the administrator designee as provided under WAC 388-112A-0060.

(b) A long-term care worker, who is a certified home care aide must comply with continuing education requirements under chapter 246-980 WAC.

(c) The continuing education requirements of this section do not apply to a registered nurse, a licensed practical nurse, and an advanced registered nurse practitioner licensed under chapter 18.79 RCW, even if voluntarily certified as a home care aide under chapter 18.88B RCW.

(d) If exempt from certification under RCW 18.88B.041, a long-term care worker must complete and provide documentation of (~~twelve~~) 12 hours of continuing education within (~~forty-five~~) 45 calendar days of being hired by the assisted living facility or by the long-term care worker's birthday in the calendar year hired, whichever is later; and

(i) Must complete (~~twelve~~) 12 hours of continuing education by the long-term care worker's birthday each calendar year worked thereafter; or

(ii) If the (~~forty-five~~) 45 calendar day time period allows the long-term care worker to complete continuing education in January or February of the following year, the credit hours earned will be applied to the calendar year in which the long-term care worker was hired.

(e) If the birthday following initial certification as a home care aide or nursing assistant (NA-C) is less than a full year from

the date of initial certification, no continuing education will be due for the first renewal period.

(2) A long-term care worker who does not complete continuing education as required under this chapter must not provide care until the required continuing education is completed.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-0611, filed 6/30/20, effective 7/31/20.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-0612 Who in an enhanced services facility is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed? (1) The continuing education training requirements that apply to certain individuals working in enhanced services facilities are described below.

(a) The following long-term care workers must complete (~~twelve~~) 12 hours of continuing education by their birthday each year:

(i) A certified home care aide;

(ii) A long-term care worker who is exempt from the (~~seventy~~) 70-hour (~~long-term care worker~~) home care aide basic training under WAC 388-112A-0090 (1) and (2);

(iii) A certified nursing assistant, and a person with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(iv) An enhanced services facility applicant, facility representative, administrator, or the administrator designee as provided under WAC 388-112A-0070.

(b) A long-term care worker, who is a certified home care aide must comply with continuing education requirements under chapter 246-980 WAC.

(c) The continuing education requirements of this section do not apply to a registered nurse, a licensed practical nurse, and an advanced registered nurse practitioner licensed under chapter 18.79 RCW, even if voluntarily certified as a home care aide under chapter 18.88B RCW.

(d) If exempt from certification under (~~WAC~~) RCW 18.88B.041, a long-term care worker(~~s~~) must complete (~~twelve~~) 12 hours of continuing education within (~~forty-five~~) 45 calendar days of being hired by the enhanced services facility or by the long-term care worker's birthday in the calendar year hired, whichever is later; and

(i) Must complete (~~twelve~~) 12 hours of continuing education by the long-term care worker's birthday each calendar year worked thereafter; or

(ii) If the (~~forty-five~~) 45 calendar day time period allows the long-term care worker to complete continuing education in January or February of the following year, the credit hours earned will be applied to the calendar year in which the long-term care worker was hired.

(e) If the birthday following initial certification as a home care aide or nursing assistant (NA-C) is less than a full year from the date of certification, no continuing education will be due for the first renewal period.

(f) Enhanced services facility certified home care aide staff and nursing assistant certified staff must have ~~((ten))~~ 10 of the ~~((twelve))~~ 12 hours of annual continuing education cover relevant education regarding the population served in the enhanced services facility as provided in WAC 388-107-0660.

(g) In addition to the annual continuing education requirements for individual staff, the enhanced services facility must provide three hours of staff education per quarter on topics relevant to the needs of the population served.

(2) A long-term care worker who does not complete continuing education as required in this chapter must not provide care until the required continuing education is completed.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-0612, filed 6/30/20, effective 7/31/20.]

~~((SECTION VII))~~ CPR AND FIRST-AID TRAINING

~~((SECTION VIII))~~ RESIDENTIAL CARE ADMINISTRATOR TRAINING

~~((SECTION IX))~~ COMPETENCY TESTING

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0920 (~~(What training)~~) Which trainings must include ((the)) a DSHS developed competency test? The following trainings must include ~~((the))~~ a DSHS developed competency test:

- (1) Dementia specialty training;
- (2) Mental health specialty training;
- (3) Developmental disabilities specialty training;
- (4) Expanded specialty training;
- ~~((4))~~ (5) Nurse delegation core training;
- ~~((5))~~ (6) Nurse delegation specialized diabetes training; and
- ~~((6))~~ (7) Adult family home administrator training.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0920, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0940 What form of identification must students provide before they take a competency or challenge test? Students must provide photo identification before they take a competency or challenge test (~~(for basic, specialty, adult family home administrator, and nurse delegation training)~~).

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0940, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0950 How many times may a competency or challenge test be taken? (1) A competency test that is part of a course may be taken twice. If the test is failed a second time, the person must re-take the course before any additional tests are administered.

(2) If a challenge test is available for a course, it may be taken only once. If the test is failed, the person must take the classroom course.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-0950, filed 10/24/17, effective 11/24/17.]

((SECTION X--)) CURRICULUM APPROVAL

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1010 What is the curriculum approval process for orientation, safety training, basic training, population specific training, specialty training, residential care administrator training, and continuing education? (~~In order to~~) To obtain the department's approval of the curriculum for orientation, safety training, basic training, population specific training, specialty training, residential care administrator training, and continuing education:

(1) Submit the required training application forms and any other materials required for specific curriculum to the department.

(2) After review of the curriculum, DSHS will send a written response to the submitter, indicating approval or disapproval of the curriculum.

(3) If the curriculum is not approved, the reason(s) for denial will be given and the submitter will be told what portion(s) of the training must be changed and resubmitted for review for the curriculum to be approved.

(4) The submitter may then make the requested changes and resubmit the curriculum for review.

(5) If after working with the department, the reasons why the curriculum was not approved cannot be resolved, the submitter may seek a review of the nonapproval decision from the assistant secretary of aging and long-term support administration (ALTSA). The assistant secretary's review decision will be DSHS's final decision. No other administrative review is available to the submitter.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1010, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-1020 What must be submitted to DSHS for curriculum approval? (1) If a training entity modifies a department developed curriculum in any manner, the training entity must submit the amended curriculum to the department for approval.

(2) Training must not be offered before receiving department approval.

(3) Online classes when applicable must adhere to the DSHS online class standards in effect at the time of approval. These online standards are posted on the DSHS website.

(4) **For orientation and safety training:**

(a) Submit an outline of what will be covered in each training offered, including a table of contents or a class syllabus, that shows where the required introductory topics listed in WAC 388-112A-0210 for orientation and WAC 388-112A-0230 for safety training are covered in the training.

(b) Department required orientation and safety training application forms must be submitted to the department at least ~~((forty-five))~~ 45 days before the training is expected to be offered.

(c) Training cannot be offered before the department approves the curriculum and instructor.

(5) For continuing education:

(a) Continuing education curriculum delivery models must only include instructor led, online instructor led (such as a webinar), or online interactive self-paced learning with access to an instructor.

(b) For continuing education classes, submit on a department developed form a summary of the class that includes the topic, a brief description of what the training will cover, a course outline, the number of training hours, and a description of how the training is relevant to the care setting, care needs of residents, or long-term care worker career development.

(c) For online training courses, submit the information requested in (b) of this subsection and a description of how the instructor or training will assess that the students have integrated the information being taught. The training entity must establish a way for the long-term care worker to ask the instructor questions.

(d) One hour of completed classroom instruction or other form of training (such as online course) equals one hour of continuing education.

(e) Department required continuing education training application forms must be submitted at least ~~((forty-five))~~ 45 days in advance of the training. The department must approve the curriculum and instructor before the training may be offered.

(6) For ~~((core))~~ home care aide basic training:

(a) If the instructor or training entity uses the DSHS developed fundamentals of caregiving learner's guide with enhancements, they must submit the DSHS form with all required information.

(b) If the instructor or training entity does not use a DSHS developed fundamentals of caregiving learner's guide with enhancements to teach the ~~((seventy-hour long-term care worker))~~ 70-hour home care aide basic training, they must submit to DSHS the following for approval:

(i) A completed DSHS curriculum checklist indicating where all of the competencies and learning objectives described in this chapter are located in the long-term care worker materials from the proposed curriculum for that course;

(ii) Any materials long-term care workers will receive, such as a textbook, long-term care worker manual, learning activities, audio-visual materials, handouts, and books;

(iii) The table of contents or curriculum outline, including the allotted time for each section;

(iv) Demonstration skills checklists for the personal care tasks described in WAC 388-112A-0320 (12) (a) and (b) and infection control skills such as hand washing and putting on and taking off gloves; and

(v) The teacher's guide or manual that includes for each section of the curriculum:

(A) The goals and objectives;

(B) Method of teaching, including learning activities that incorporate adult learning principles;

(C) Methods used to determine whether each long-term care worker understands the materials covered and can demonstrate all skills;

(D) A list of the sources or references that were used to develop the curriculum and if the primary source or reference is not a published citation, the instructor must provide detail on how the content is evidence based;

(E) Description of how the curriculum was designed to accommodate long-term care workers with either limited English proficiency, learning disabilities, or both; and

(F) Description and proof of how input was obtained from consumer and long-term care worker representatives in the development of the curriculum.

(c) Curriculum submitted for the core competency section of basic training, called core basic training, as described in WAC 388-112A-0320, must include how much time students will have to practice skills and how instructors will evaluate and ensure each long-term care worker can proficiently complete each skill.

(d) Entities that submit curriculum for the population specific component of the (~~seventy-hour long-term care worker~~) 70-hour home care aide basic training must submit their own list of competencies and learning objectives used to develop the population specific basic training curriculum.

(7) **For specialty training:**

(a) For specialty training that is not DSHS developed curriculum or another department approved specialty training curriculum, submit the required specialty training application form and any additional learning objectives added to the competency and learning objectives checklist, the enhancements that have been added, and additional student materials or handouts.

(b) To be approved, an alternative curriculum must at a minimum include:

(i) All the DSHS published learning outcomes and competencies for the course;

(ii) Student materials that support the curriculum, a teacher's guide or manual, and learning resource materials such as learning activities, audio-visual materials, handouts, and books;

(iii) The recommended sequence and delivery of the material; and

(iv) The teaching methods or approaches that will be used for different sections of the course, including for each lesson:

(A) Learning activities that incorporate adult learning principles and address the learning readiness of the student population;

(B) Practice of skills to increase competency;

(C) Feedback to the student on knowledge and skills;

(D) An emphasis on facilitation by the teacher; and

(E) An integration of knowledge and skills from previous lessons to build skills;

(v) A list of the sources or references, if any, used to develop the curriculum;

(vi) Methods of teaching and student evaluation for students with either limited-English proficiency, learning disabilities, or both; and

(vii) A plan for updating material.

(8) Substantial changes to a previous approved curriculum must be approved before they are used.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-1020, filed 6/30/20, effective 7/31/20. Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1020, filed 10/24/17, effective 11/24/17.]

(~~SECTION XI~~) HOME-BASED TRAINING

(~~SECTION XII~~) INSTRUCTOR APPROVAL

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1230 What is a guest speaker and what are the minimum qualifications to be a guest speaker? (1) A guest speaker is a person selected by an approved instructor to teach a specific topic. A guest speaker:

(a) May only teach a specific subject in which ~~((they))~~ the guest speaker has ~~((expertise))~~ knowledge, ~~((and their))~~ background, and experience ~~((demonstrates))~~ that establishes expertise on the topic they will teach~~((-))~~;

(b) May not teach the entire course;

(c) Must not supplant the primary teaching responsibilities of the primary instructor; and

(d) Must cover the DSHS competencies and learning objectives for the topic the guest speaker is teaching.

(2) The approved instructor must:

(a) ~~((Must select a))~~ Ensure the guest speaker ~~((based on his or her knowledge and experience in the specific topic))~~ meets these minimum qualifications;

(b) Maintain documentation of the guest speaker's qualifications and experience;

(c) Supervise and monitor the guest speaker's performance; and

(d) ~~((Is))~~ Be responsible for ~~((insuring))~~ ensuring the required content is taught.

(3) DSHS does not approve guest speakers.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1230, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-1240 What are the minimum qualifications for an instructor for core basic, population specific, on-the-job, residential care administrator, nurse delegation core, and specialized diabetes trainings? An instructor for core basic, population specific, on-the-job, residential care administrator, nurse delegation core, and nurse delegation specialized diabetes trainings must meet the following minimum qualifications:

- (1) (~~Twenty-one~~) Be at least 21 years of age;
- (2) Has not had a professional health care, adult family home, assisted living facility, or social services license or certification revoked in Washington state;
- (3) Meets one or more of the following education or work experience requirements upon initial approval or hire:
 - (a) Is a registered nurse with work experience within the last five years with the elderly or persons with disabilities requiring long-term care in a community setting;
 - (b) Has an associate degree or higher degree in the field of health or human services and six months professional or caregiving experience within the last five years in a community based setting or an adult family home, enhanced services facility, assisted living facility, supported living through the developmental disabilities administration (DDA), or home care setting; or
 - (c) Has a high school diploma or equivalent and one year of professional or caregiving experience within the last five years in an adult family home, enhanced services facility, assisted living, supported living through DDA, or home care setting;
- (4) Meets one or more of the following teaching experience requirements:
 - (a) (~~One hundred~~) 100 hours of experience teaching adults in an appropriate setting on topics directly related to basic training or basic training topics that may be offered as continuing education;
 - (b) (~~Forty~~) 40 hours of teaching basic training while being mentored by an instructor who is approved to teach basic training; or
 - (c) Instructors with adult family homes, enhanced services facilities, and assisted living facilities who do not have the experience described in (a) or (b) of this subsection, must have and attest to the following experience and plans in their application:
 - (i) (~~Forty~~) 40 hours of informal teaching experiences unrelated to basic training topics such as guest lecturing, team teaching, and volunteer teaching with parks, local high schools, 4-H groups, English as a second language (ESL) groups, senior organizations, or religious organizations;
 - (ii) Three adult learning techniques that the instructor will implement in the long-term care worker training; and
 - (iii) Three ways the instructor plans on improving instructional skills and the method the instructor will use to measure improvement

such as submitting the continuous improvement plan feedback from the DSHS adult education class;

(5) Except for instructors for nurse delegation core and diabetes training, completion of a class on adult education that meets the requirements of WAC 388-112A-1297;

(6) The instructor must be experienced in caregiving practices and demonstrate competency for teaching the course content or units being taught;

(7) Instructors who will administer tests must have experience or training in assessment and competency testing;

(8) Community instructors for nurse delegation core and diabetes training must have a current Washington registered nurse (RN) license in good standing without practice restrictions; and

(9) Facility instructors must be approved and contracted by the department as a community instructor in order to be approved to teach the following classes:

(a) Nurse delegation core;

(b) Nurse delegation specialized diabetes training; or

(c) DSHS adult education training curriculum.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-1240, filed 6/30/20, effective 7/31/20. Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1240, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1250 What are the minimum qualifications for community instructors for adult education training using DSHS curriculum?

(1) The minimum qualifications for community instructors of adult education training using DSHS curriculum, in addition to the general qualifications in WAC 388-112A-1240 (1) and (2), include:

(a) The instructor must be experienced in adult education practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Has a bachelor's degree or is a registered nurse with at least one year of education in seminars, conferences, continuing education, or in college classes in subjects directly related to adult education, such as, but not limited to, English as a second language (ESL), adult basic education, and adult secondary education (one year of education equals (~~twenty-four~~) 24 semester credits in a semester system, (~~thirty-six~~) 36 quarter credits in a quarter system, or at least (~~eighty~~) 80 hours of seminars, conferences, and continuing education); and

(ii) Successful completion of the DSHS adult education training curriculum prior to beginning to train others;

(c) Meets one or more of the following teaching experience requirements:

(i) Two years experience teaching long-term care workers; or

- (ii) (~~Two hundred~~) 200 hours experience teaching adult education or closely related subjects;
 - (d) Successful completion of the DSHS instructor qualification/demonstration process; and
 - (e) Instructor approved and contracted by the department as a community instructor.
- (2) Instructors that administer tests must have experience or training in assessment and competency testing.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1250, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-1270 What are the minimum qualifications for community instructors for mental health specialty training? (1) The minimum qualifications for community instructors for mental health specialty training, in addition to the general qualifications in WAC 388-112A-1240 (1) and (2), include:

- (a) The instructor must be experienced in mental health caregiving practices and capable of demonstrating competency in the entire course content;
- (b) Education:
 - (i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education, or accredited college classes, in subjects directly related to mental health, including, but not limited to, psychology (one year of education equals (~~twenty-four~~) 24 credits in a semester system, (~~thirty-six~~) 36 credits in a quarter system, or at least (~~eighty~~) 80 hours of seminars, conferences, and continuing education); and
 - (ii) Successful completion of the mental health specialty training class before the instructor trains others;
- (c) Work experience: Two years full-time equivalent direct work experience with people who have a mental illness; and
- (d) Teaching experience:
 - (i) (~~Two hundred~~) 200 hours experience teaching long-term care related subjects;
 - (ii) Successful completion of an adult education class that meets the requirements of WAC 388-112A-1297;
 - (iii) Successful completion of the DSHS instructor qualification/demonstration process; and
 - (iv) The instructor has been approved and contracted by the department as a community instructor;
- (e) Instructors who will administer tests must have experience or training in assessment and competency testing; and
- (2) Five years of full-time equivalent direct work experience with people who have a mental illness may substitute for either:
 - (a) The credential described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or (~~eighty~~) 80 hours in seminars, conferences, and continuing education described in subsection (1)(b)(i) of this section.

(3) If your status is an approved instructor for mental health specialty training, you may instruct a new mental health specialty training curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-112A-1297.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-1270, filed 6/30/20, effective 7/31/20. Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1270, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 20-14-088, filed 6/30/20, effective 7/31/20)

WAC 388-112A-1285 What are the minimum qualifications for community instructors for dementia specialty training? (1) The minimum qualifications for instructors for dementia specialty, in addition to the general qualifications defined in WAC 388-112A-1240 (1) and (2) include:

(a) The instructor must be experienced in dementia caregiving practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education or college classes, in dementia or subjects directly related to dementia, such as, but not limited to, psychology (one year of education equals (~~twenty-four~~) 24 credits in a semester system, (~~thirty-six~~) 36 credits in a quarter system, or at least (~~eighty~~) 80 hours of seminars, conferences, or continuing education); and

(ii) Successful completion of the dementia specialty training, prior to beginning to train others;

(c) Work experience: Two years full-time equivalent direct work experience with people who have dementia;

(d) Teaching experience:

(i) (~~Two hundred~~) 200 hours experience teaching long-term care related subjects;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-112A-1297;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor; and

(e) Instructors who will administer tests must have experience or training in assessment and competency testing.

(2) Five years of full-time equivalent direct work experience with people who have dementia may substitute for either:

(a) The credential (bachelor's degree, registered nurse, or mental health specialist) described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or (~~eighty~~) 80 hours in seminars, conferences, or continuing education described in subsection (1)(b)(i) of this section.

(3) If your status is an approved instructor for dementia specialty training, you may instruct a new dementia specialty training curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-112A-1297.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030, and 70.97.080. WSR 20-14-088, § 388-112A-1285, filed 6/30/20, effective 7/31/20. Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1285, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 21-04-057, filed 1/28/21, effective 2/28/21)

WAC 388-112A-1292 What are the minimum qualifications for community instructors to teach expanded specialty trainings? (1) The minimum qualifications for community instructors to teach an expanded specialty training, in addition to the general qualifications in WAC 388-112A-1420 (1) and (2), include:

(a) The instructor must be experienced in caregiving practices related to the expanded specialty topic and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, paramedic, emergency medical technician (EMT), mental health specialist, or a specialist with nationally recognized credentials in the expanded specialty topic with at least (~~eighty~~) 80 hours of education in seminars, conferences, continuing education, or accredited college classes, in subjects directly related to expanded specialty topics; and

(ii) Successful completion of the expanded specialty training class before the instructor trains others;

(c) Work experience: Two years full-time equivalent direct work or volunteer experience with people in the specialty topic population; and

(d) Teaching experience:

(i) (~~Two hundred~~) 200 hours experience teaching;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-112A-1297;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor;

(e) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(2) Five years of full-time equivalent direct work experience with people in the specialty topic population may substitute for either:

(a) The credential or degree described in subsection (1)(b)(i) of this section; or

(b) The ~~((eighty))~~ 80 hours in seminars, conferences, or continuing education described in subsection (1)(b)(i) of this section.

[Statutory Authority: RCW 74.08.090 and 70.128.060. WSR 21-04-057, § 388-112A-1292, filed 1/28/21, effective 2/28/21.]

~~((SECTION XIII—))~~ PHYSICAL RESOURCES AND STANDARD PRACTICES FOR TRAINING

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1300 What physical resources are required for classroom training and testing? (1) The training entity must provide accessible classroom facilities to students and provide adequate space for learning activities, comfort, lighting, lack of disturbance, and tools for effective teaching and learning such as white boards and ~~((flip))~~ charts. The training entity must maintain appropriate supplies and equipment for teaching and practice of caregiving skills in the class being taught.

(2) The training entity must provide testing sites with adequate space for testing, comfort, lighting, and lack of disturbance appropriate for the written or skills test being conducted. The training entity must maintain appropriate supplies and equipment necessary for the particular test.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1300, filed 10/24/17, effective 11/24/17.]

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1310 ~~((The training entity must maintain standard training practices))~~ What standard training practices must be maintained for classroom training and testing((-))? The training entity must maintain the following training standards for classroom training and testing:

(1) Training must not exceed eight hours within one day;

- (2) Training provided in short time segments must include an entire unit, skill, or concept;
- (3) Training must include regular breaks; and
- (4) Long-term care workers attending ((a)) classroom training must not be expected to leave the class to attend to job duties, except in an emergency.

[Statutory Authority: RCW 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.351, 74.39A.341, 18.20.270, 18.88B.021, 18.88B.035, 70.128.230, 71A.12.030. WSR 17-22-036, § 388-112A-1310, filed 10/24/17, effective 11/24/17.]

REPEALER

The following sections of the Washington Administrative Code ((is)) are repealed:

WAC 388-71-058329	SAFETY TRAINING SUBCAPTION
WAC 388-71-05833	What content must be included in safety training?
WAC 388-71-05834	When does a safety training attestation process need to be completed?
WAC 388-71-0921	What are the population specific competencies?
WAC 388-71-0931	What other methods of training may count towards the seventy hour basic training requirement?
WAC 388-71-0951	Who is required to complete the specialized diabetes nurse delegation training, and when?
WAC 388-71-1006	What kinds of training topics may be covered in continuing education?
WAC 388-71-1021	What trainings must be taught with a curriculum approved by DSHS?
WAC 388-71-1083	Must the department verify that training entities and their community instructors meet the minimum instructor qualifications?
WAC 388-112A-0240	What documentation is required for facility orientation training?
WAC 388-112A-0350	What documentation is required to show completion of the seventy-hour long-term care worker basic training and five hour orientation and safety training?
WAC 388-112A-0480	What documentation is required for successful completion of specialty training?
WAC 388-112A-0530	Is there a challenge test for nurse delegation core training?

- WAC 388-112A-0540 What documentation is required for successful completion of nurse delegation core training?
- WAC 388-112A-0585 What documentation is required for successful completion of specialized diabetes nurse delegation training?
- WAC 388-112A-0620 What are the documentation requirements for continuing education?
- WAC 388-112A-0840 What documentation is required for adult family home administrator training?