

WSR 24-19-048

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Long-Term Support Administration)

[Filed September 11, 2024, 3:44 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-14-086.

Title of Rule and Other Identifying Information: The department of social and health services (DSHS) is planning to amend the following WAC sections related to training and continuing education rules due to SB 5811 (chapter 322, Laws of 2024): WAC 388-71-0523, 388-71-0839, 388-71-0875, 388-71-0880, 388-71-0888, 388-71-0890, 388-71-0971, 388-71-0977, 388-71-0991, 388-71-1001 and 388-115-0523; and repeal WAC 388-71-0990.

Hearing Location(s): On November 5, 2024, at 10:00 a.m., virtually via Microsoft Teams or call in. See the DSHS website at <https://www.dshs.wa.gov/sesa/rpau/proposed-rules-and-public-hearings> for the most current information.

Date of Intended Adoption: No later than November 6, 2024.

Submit Written Comments to: DSHS Rules Coordinator, P.O. Box 45850, Olympia, WA 98504, email DSHSRPAURulesCoordinator@dshs.wa.gov, fax 360-664-6185, beginning noon on September 18, 2024, by 5:00 p.m. on November 5, 2024.

Assistance for Persons with Disabilities: Contact Shelley Tencza, 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 22, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The purpose of these changes include:

- Compliance with SB 5811 passed during the 2024 legislative session;
- Clarification of continuing education requirements related to the date of hire;
- Acknowledgment of the Interstate Nurse Licensure Compact related to training requirements; and
- Combining WAC 388-71-0990 and 388-71-0991 into a single section.

Reasons Supporting Proposal: The changes to the law related to training and continuing education affect all long-term care workers. Rules must be changed in response to and in compliance with the new laws including SB 5811 and the Interstate Nurse Licensure Compact. Other edits related to clarity and consistency are also included, along with the combining of two very similar sections.

Statutory Authority for Adoption: RCW 18.88B.010, 18.88B.041, 74.08.090, 74.39A.076, 74.39A.341, and chapter 18.80 RCW.

Statute Being Implemented: RCW 18.88B.010, 18.88B.041, 74.08.090, 74.39A.076, 74.39A.341, and chapter 18.80 RCW.

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, Lacey, WA 98504-5600, 360-725-2516.

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

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

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(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

Explanation of exemptions: Changes to RCW 18.88B.041, 74.39A.076, 74.39A.341, and chapter 18.80 RCW require rules changes to reflect new language.

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting Dave Chappell, P.O. Box 45600, Lacey, WA 98504-5600, phone 360-725-2516, email david.chappell@dshs.wa.gov.

September 9, 2024
Katherine I. Vasquez
Rules Coordinator

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the [24-20](#) issue of the Register.