

**WSR 24-22-012**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
(Aging and Long-Term Support Administration)  
[Filed October 24, 2024, 3:57 p.m.]

Subject of Possible Rule Making: The department of social and health services (DSHS) is considering amendments to WAC 388-71-1055 What are the minimum qualifications for an instructor for basic (including 30-hour and seven-hour DDA parent providers), population specific, on-the job, nurse delegation core, and nurse delegation specialized diabetes trainings?, 388-71-1064 What are the minimum qualifications for community instructors for adult education training using DSHS curriculum?, 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?, and 388-112A-1250 What is the minimum qualifications for community instructors for adult education training using DSHS curriculum? The amendments are related to the minimum qualifications for an instructor for adult education, nurse delegation core, and specialized diabetes trainings when the instructor only teaches at the facility or corporation where they are employed.

Other necessary changes and corrections related to numerical representation, consistency, inclusive language, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.88B.010, 18.88B.021, 18.88B.041, 74.08.090, 74.39A.009, 74.39A.070, 74.39A.074, 74.39A.076, and 74.39A.341.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Currently, all nurse delegation and adult education instructors are required to contract with DSHS as community instructors, complete an application process, and maintain liability insurance regardless of where they teach. Many work for facility or corporation employers and are also insured under that facility/corporation's required liability coverage.

Rule changes are proposed to remove the DSHS contract requirement from nurse delegation and adult education instructors who only teach workers employed by a facility or corporation where the instructor is employed. This will remove the burden of the community instructor contract application process and the expense of securing secondary liability insurance.

The changes would not affect the separate DSHS contract required to be a nurse delegator, and all other instructor requirements for nurse delegation and adult education are maintained.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of health and health care authority.

Process for Developing New Rule: Collaborative; DSHS invites the interested public to review and provide input on the draft language of this rule. DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Dave Chappell, Aging and Long-Term Support Administration Headquarters, Blake East, 4500 10th Avenue S.E., Lacey, WA 98503, phone 360-725-2516, email david.chappell@dshs.wa.gov.

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