

WSR 21-05-021

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF HEALTH

(Nursing Care Quality Assurance Commission)

[Filed February 8, 2021, 12:04 p.m.]

Subject of Possible Rule Making: Chapter 246-841 WAC, excluding WAC 246-841-520, 246-841-720, and 246-841-990; and chapter 246-842 WAC, Nursing assistants. The nursing care quality assurance commission (NCQAC) is considering amending nursing assistant standards to eliminate duplication, update competencies, and revise program requirements. NCQAC may also consider adopting new sections of rule as necessary.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.79.110, 18.79.260, 18.88A.030, 18.88A.060, and 18.88A.087.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: NCQAC identified that chapter 246-841 WAC, excluding WAC 246-841-520, 246-841-720, and 246-841-990; and chapter 246-842 WAC need to be updated to reflect best practices, eliminate redundancy, and make other necessary revisions. Legislated work by NCQAC with key interested parties in 2018-2020 confirms the identified need for updating the rules. The coronavirus disease 2019 (COVID-19) pandemic magnifies the need and urgency for changes to the rules which may eliminate barriers to career advancement for nursing assistants to help address the nursing assistant shortage in health care. Specifically NCQAC is considering: (1) Repealing chapter 246-842 WAC. Chapters 246-841 and 246-842 WAC are similar. Repealing chapter 246-842 WAC may eliminate unnecessary redundancy, which creates confusion about requirements. Any requirements that may need to be retained could be moved to chapter 246-841 WAC; (2) updating the rules overall to reflect the most current standards and practice, clarifying and updating curriculum and testing requirements for training programs, and eliminating barriers to career advancement for nursing assistants to help address the nursing assistant shortage in health care; and (3) standardizing the scope of practice for nursing assistance as allowed by law. The scope of practice for nursing assistants varies depending on the work setting. NCQAC believes standardizing the scope of practice across work settings could eliminate confusion.

WAC 246-841-520, 246-841-720, and 246-841-990 are excluded from this review because these sections are not under the exclusive rule-making authority of NCQAC. Also, amendments to these sections are not currently needed to achieve the goals of this review.

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Shad Bell, P.O. Box 47864, Olympia, WA 98504-7864, phone 360-236-4711, fax 360-236-4738, TTY 711, email Shad.Bell@doh.wa.gov, website <https://www.doh.wa.gov/licensespermitsandcertificates/nursingcommission>.

Additional comments: NCQAC will notify interested parties of rule making by posting information on the department of health website, the NCQAC website, and by use of GovDelivery. NCQAC will hold virtual meetings at varying times to encourage participation.

February 4, 2021
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