Effective Date of Rule: Thirty-one days after filing.

Purpose: The department is amending WAC 388-112A-0105 Who is required to obtain home care aide certification and by when?, and 388-112A-0550 Who is required to complete nurse delegation core training and nurse delegation specialized diabetes training and by when?, to change an outdated WAC reference from WAC 246-980-070 to 246-980-025.

Citation of Rules Affected by this Order: Amending WAC 388-112A-0105 and 388-112A-0550.


Adopted under notice filed as WSR 21-05-047 on February 12, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 2, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 2, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 18, 2021.

Katherine I. Vasquez
Rules Coordinator

SHS-4851.1

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

WAC 388-112A-0105 Who is required to obtain home care aide certification and by when? Unless exempt under WAC ((246-980-070)) 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;
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;
3. Adult family home applicants, before licensure;
(4) Adult family home entity representatives and resident managers, before assuming the duties of the position;

(5) Assisted living facility administrators or their designees within two hundred calendar days of the date of hire.

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

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


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

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) If the long-term care worker is exempt from the home care aide certification under WAC ((246-980-070)) 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 hours of revised fundamentals of care or a department approved alternative;

(iv) 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-hour long-term care worker basic training.

(2) 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.