

WSR 21-16-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH

[Filed August 3, 2021, 1:28 p.m.]

Subject of Possible Rule Making: WAC 246-980-010, definitions for chapter 246-980 WAC, Home care aide rules. The department of health (DOH) is considering amending WAC 246-980-010 to redefine "date of hire" for home care aides and to implement ESHB 1120, passed in the 2021 legislative session.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1120 (chapter 203, Laws of 2021); and RCW 18.88B.021.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DOH is considering amending WAC 246-980-010 to redefine "date of hire" for home care aides and to implement ESHB 1120, which was passed in the 2021 legislative session. ESHB 1120 amended RCW 18.88B.021 to remove statutory language on how to calculate date of hire and allow the department through rule making to define date of hire and the circumstances under which a long-term care worker may have more than one date of hire. Currently a home care aide is assigned a single date of hire, which remains unchanged even if a home care aide changes employer or temporarily leaves the profession. The definition of date of hire, combined with associated regulatory time-frames, may create barriers and discourage workers from reentering the profession. As there are too few home care aides to meet current demand for care, DOH is considering allowing more than one date of hire to facilitate workers successfully joining and returning to this profession.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The department of social and health services (DSHS) shares regulatory authority over home care aides with DOH. DOH and DSHS are coordinating closely with each other and other interested parties to ensure proposed rules align, meet the needs of the profession, and protect clients and their families.

Process for Developing New Rule: Collaborative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stacey Saunders, P.O. Box 47850, Olympia, WA 98504, phone 360-236-2813, fax 360-236-2901, TTY 711, email stacey.saunders@doh.wa.gov, website www.doh.wa.gov.

Additional comments: All rule-making notices will be mailed via GovDelivery. To receive notices, interested persons may sign up by going to <https://public.govdelivery.com/accounts/WADOH/subscriber/new>. After signing up, please click open the box labeled "Health Systems Quality Assurance." Next click open the box labeled "Health Professions," then check the box next to "Home Care Aides."

August 3, 2021
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