



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Social and Health Services, Aging and Disability Services Administration

- Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

- Emergency Rules**
 Immediately upon filing
 Later

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: Chapter 146, Laws of 2008 (ESSHB 2668) requires that all nursing assistants who will be delegated the task of insulin injections complete a specialized diabetes nurse delegation training. The new language in Chapters 388-71 and 388-112 WAC add this requirement. The purpose of new rules in WAC 388-112-02605 through WAC 388-112-02630 is to add content requirements for the existing HIV/AIDS training requirement. New language in WAC 388-112-0250 clarifies that the existing CPR training requirement must include skills demonstration tests. WAC 388-112-0180 is amended to correct a WAC reference.

Citation of existing rules affected by this order:

Repealed: None
 Amended: WAC 388-112-0175; 388-112-0180; 388-112-0250; 388-71-0520; 388-71-05810; 388-71-05895
 Suspended: None

Statutory authority for adoption: Chapter 146, Laws of 2008 (ESSHB 2668); RCW 18.20.090; RCW 74.08.090; Chapter 70.128 RCW

Other authority: N/A

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 08-22-053 on November 3, 2008.(date)

Describe any changes other than editing from proposed to adopted version:

WAC 388-112-02610 What is HIV/AIDS training?

HIV/AIDS training is training that meets the Department of Health standards. It is recommended that the HIV/AIDS training be taught in classroom style by an experienced and knowledgeable instructor who can answer technical questions.

WAC 388-112- 02630-Who is required to complete HIV/AIDS training, and when?

Adult family home and boarding home staff who have potential exposure to bodily fluids must complete HIV/AIDS training.

- 1) Licensed, certified or registered staff must meet the HIV/AIDS training requirements for their specific Department of Health license, certification or registration prior to initially obtaining a health care credential.
- 2) All other adult family home and boarding home staff must complete the HIV/AIDS training, as defined in WAC 388-112-02610 within 30 days of employment.

Changes were made in response to stakeholder comments.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Date adopted:

January 14, 2009

NAME (TYPE OR PRINT)

Stan Marshburn

SIGNATURE

TITLE

Interim Secretary, Department of Social and Health Services

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 14, 2009
TIME: 3:06 PM

WSR 09-03-066

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
Federal rules or standards:	New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
Recently enacted state statutes:	New	<u> 12 </u>	Amended	<u> 5 </u>	Repealed	<u> </u>

The number of sections adopted at the request of a nongovernmental entity:

New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
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The number of sections adopted in the agency's own initiative:

New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u> 5 </u>	Amended	<u> 1 </u>	Repealed	<u> </u>
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The number of sections adopted using:

Negotiated rule making:	New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
Pilot rule making:	New	<u> </u>	Amended	<u> </u>	Repealed	<u> </u>
Other alternative rule making:	New	<u> 17 </u>	Amended	<u> 6 </u>	Repealed	<u> </u>

AMENDATORY SECTION (Amending 05-11-082, filed 5/17/05, effective 6/17/05)

WAC 388-71-0520 Are there training requirements for an individual provider or a home care agency provider of an adult client? An individual provider or a home care agency provider for an adult client must meet the training requirements in WAC 388-71-05665 through 388-71-05865 and WAC 388-71-0801 through 388-71-0826.

AMENDATORY SECTION (Amending WSR 04-02-001, filed 12/24/03, effective 1/24/04)

WAC 388-71-05810 What knowledge and skills must nurse delegation core training include? Only the ((curricula)) curriculum developed by DSHS ((may be used)), "Nurse Delegation for Nursing Assistants", meets the training requirement for nurse delegation core training.

AMENDATORY SECTION (Amending WSR 04-02-001, filed 12/24/03, effective 1/24/04)

WAC 388-71-05895 What additional qualifications are required for instructors of nurse delegation core training and specialized diabetes nurse delegation training? An instructor for nurse delegation core training and specialized diabetes nurse delegation training must have a current RN license in good standing.

NEW SECTION

WAC 388-71-0801 What is specialized diabetes nurse delegation training? Specialized diabetes nurse delegation training is the required training for nursing assistants, certified or registered, who will be delegated the task of insulin injections. DSHS approves the instructors for the specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-71-0806 What knowledge and skills must specialized diabetes nurse delegation training include? Specialized diabetes nurse delegation training consists of three modules on diabetes, insulin, and injections. Only the curriculum developed by DSHS, "Nurse Delegation for Nursing Assistants: Special Focus on Diabetes", may be used for the specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-71-0811 Is competency testing required for the specialized diabetes nurse delegation training? Passing the DSHS competency test is required for successful completion of specialized diabetes nurse delegation training, as provided under WAC 388-71-05835 through 388-71-05865.

NEW SECTION

WAC 388-71-0816 Is there a challenge test for specialized diabetes nurse delegation training? There is no challenge test for specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-71-0821 What documentation is required for successful completion of specialized diabetes nurse delegation training? (1) Specialized diabetes nurse delegation training must be documented by a certificate of successful completion of training, issued by the instructor or training entity, that includes:

- (a) The name of the trainee;
 - (b) The name of the training;
 - (c) The name of the training entity giving the training;
 - (d) The instructor's name and signature; and
 - (e) The date(s) of training.
- (2) The trainee must be given an original certificate.

NEW SECTION

WAC 388-71-0826 Who is required to complete the specialized diabetes nurse delegation training, and when? Specialized diabetes nurse delegation training is required before a nursing assistant, certified or registered, who meets the qualifications in WAC 388-71-05830, may be delegated the task of insulin injections.

AMENDATORY SECTION (Amending WSR 02-15-065, filed 7/11/02, effective 8/11/02)

WAC 388-112-0175 What knowledge and skills must nurse delegation core training include? Only the curriculum developed by DSHS ((may be used)), "Nurse Delegation for Nursing Assistants", meets the training requirement for nurse delegation core training.

AMENDATORY SECTION (Amending WSR 02-15-065, filed 7/11/02, effective 8/11/02)

WAC 388-112-0180 Is competency testing required for nurse delegation core training? Passing the DSHS competency test is required for successful completion of nurse delegation core training, as provided under WAC ((388-112-0265)) 388-112-0290 through ((388-112-0295)) 388-112-0315.

NEW SECTION

WAC 388-112-0196 What is specialized diabetes nurse delegation training? Specialized diabetes nurse delegation training is the required training for nursing assistants, certified or registered, who will be delegated the task of insulin injections. DSHS approves the instructors for specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-112-01961 What knowledge and skills must specialized diabetes nurse delegation training include? Specialized diabetes nurse delegation training consists of three modules on diabetes, insulin, and injections. Only the curriculum developed by DSHS, "Nurse Delegation for Nursing Assistants: Special Focus on Diabetes", may be used for the specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-112-01962 Is competency testing required for the specialized diabetes nurse delegation training? Passing the DSHS competency test is required for successful completion of the specialized diabetes nurse delegation training, as provided under WAC 388-112-0290 through 388-112-0315.

NEW SECTION

WAC 388-112-01963 Is there a challenge test for specialized diabetes nurse delegation training? There is no challenge test for specialized diabetes nurse delegation training.

NEW SECTION

WAC 388-112-01964 What documentation is required for successful completion of specialized diabetes nurse delegation training? (1) Specialized diabetes nurse delegation training must be documented by a certificate of successful completion of training, issued by the instructor or training entity, that includes:

- (a) The name of the trainee;
- (b) The name of the training;
- (c) The name of the training entity giving the training;
- (d) The instructor's name and signature; and
- (e) The date(s) of training.

(2) The trainee must be given an original certificate. Adult family homes and boarding homes must keep a copy of the certificate on file.

NEW SECTION

WAC 388-112-01965 Who is required to complete the specialized diabetes nurse delegation training, and when? Specialized diabetes nurse delegation training is required before a nursing assistant, certified or registered, who meets the qualifications in WAC 388-112-0195, may be delegated the task of insulin injections.

AMENDATORY SECTION (Amending WSR 06-16-072, filed 7/28/06,

effective 8/28/06)

WAC 388-112-0250 What is CPR training? Cardiopulmonary resuscitation (CPR) training is training provided by an authorized CPR instructor. Trainees must successfully complete the written and skills demonstrations tests.

NEW SECTION

WAC 388-112-02610 What is HIV/AIDS training? It is recommended that the HIV/AIDS training be taught in classroom style by an experienced and knowledgeable instructor who can answer technical questions. The Washington state department of health's "KNOW HIV Prevention Education for Health Care Facility Employees" manual is the state model, designed as a complete training. HIV/AIDS training must be based on this curriculum, be a minimum of two to three hours, and include the following topics:

- (1) Causes of HIV and how it is spread, including:
 - (a) Reported cases in the United States and Washington state;
- and
- (b) Risk groups and risky behaviors.
 - (2) Transmission and infection control, including:
 - (a) Infection control precautions;
 - (b) Factors affecting the risk for transmission; and
 - (c) Risks for transmission to health care workers.
 - (3) Legal and ethical issues, including:
 - (a) Confidentiality;
 - (b) Informed consent;
 - (c) Legal reporting requirements;
 - (d) Ethical issues; and
 - (e) Civil rights.
 - (4) Psychosocial issues, including:
 - (a) Personal impact of HIV continuum;
 - (b) The human response to death and dying;
 - (c) Issues for care providers;
 - (d) Family issues; and
 - (e) Special populations.

NEW SECTION

WAC 388-112-02615 Is competency testing required for HIV/AIDS training? No competency testing is required for HIV/AIDS training.

NEW SECTION

WAC 388-112-02620 Is there a challenge test for HIV/AIDS training? There is no challenge test for HIV/AIDS training.

NEW SECTION

WAC 388-112-02625 What documentation is required for completion of HIV/AIDS training? HIV/AIDS training must be documented by:

(1) Proof of registration, certification or licensure from the department of health; or

(2) A certificate of completion of the state developed twenty-eight hour revised fundamentals of caregiving, completed after December 19, 2003; or

(3) A certificate of completion of HIV/AIDS training issued by the instructor or training entity that includes:

(a) The name of the trainee;

(b) The name of the training curriculum;

(c) The name of the home or training entity giving the training;

(d) The instructor's name and signature; and

(e) The date(s) of the training session(s).

(4) The trainee must be given an original certificate. The facility or entity must keep a copy of the certificate on file.

NEW SECTION

WAC 388-112-02630 Who is required to complete HIV/AIDS training, and when? Adult family home and boarding home staff who have potential exposure to bodily fluids must complete HIV/AIDS training.

(1) Licensed, certified or registered staff must meet the HIV/AIDS training requirements for their specific department of health license, certification or registration prior to obtaining a health care credential.

(2) All other adult family home and boarding home staff must complete the HIV/AIDS training, as defined in WAC 388-112-02610 within thirty days of employment.