STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Home and Community Living Administration
Residential Care Services • P.O. Box 45600 • Olympia, Washington 98504

05/18/2026

HCLA: NH #026-023
Washington State 24/7 Registered Nurse (RN) Staffing Exception Process – Updated

Dear Nursing Home Administrator,

This letter supersedes Dear Provider Letter NH# 2025-029 that informs you about the updates to the Washington State 24/7 registered nurse (RN) staffing exception process.

WAC 388-97-1080(1) requires that nursing homes (NHs) ensure that a sufficient number of qualified nursing personnel are available on a twenty-four-hour basis seven days per week to provide nursing and related services to attain or maintain the highest practicable physical, mental and psychosocial well-being of each resident as determined by resident assessments and individual plans of care.

WAC 388-97-1080(3) requires that large non-essential nursing homes have an RN on duty, directly supervising resident care, twenty-four hours per day, seven days per week.

WAC 388-97-1080(4) allows the department to permit limited exceptions to this requirement if the nursing home demonstrates good faith efforts to hire and retain RN staff.

Large non-essential nursing homes may request exception at WAC 388-97-1080(3) by submitting a complete exception request packet to NH247RNExceptionRequest@dshs.wa.gov. **Only complete exception request packets will be scheduled for review**.

Please carefully review document, "24.7 RN Staffing Exception Request Packet Required Contents" prior to submitting your exception request packet to ensure all required elements are present.

To evaluate your facility's good faith efforts to hire and retain RN staff, the panel will review all documentation submitted in support of your request, and survey data from the year prior.

The RN Wage, RN to Population Ratio, & Position Availability Data document located at WA State 24/7 RN Staffing Exception | DSHS provides area specific RN wage, availability, and position projection data. The panel uses this tool only to provide additional context for information submitted by facilities.

Additional information:

- 24/7 RN staffing exceptions are not backdated. Exception start dates will correspond to the date RCS received the facility's complete exception request packet.
- The department cannot grant exceptions for coverage that is less than sixteen hours per day.

- All approved exceptions are valid for a maximum of one year from the date of approval and will not automatically be renewed.
- In compliance with WAC 388-97-1080(1), Facilities are not eligible for exception if:
  - The facility has not yet returned to substantial compliance after being cited for issues related to insufficient nurse staffing; or
  - During the previous six months, the facility was identified as having widespread (or a pattern of) insufficient nurse staffing that resulted in actual harm to a resident; or an incident of insufficient staffing that caused or is likely to cause serious harm or death to a resident.

Facilities may request exception to the 24/7 RN staffing requirement for subsequent years by submitting a new request packet with all required materials.

Transferability of exception in CHOW: If a facility with an existing 24/7 RN staffing exception undergoes CHOW, the existing exception will remain in effect for a maximum of three months from the CHOW effective date. If the new owner/management identifies a continuing need for exception at WAC 388-97-1080(3), and wants to avoid a lapse in coverage, a complete exception request packet must be submitted to NH247RNExceptionRequest@dshs.wa.gov prior to expiration of the 3-month timeframe.

Facilities must ensure all resident care and acuity needs are consistently met in a timely manner. Facilities must consider limiting new admissions if the number and/or qualifications of staff are insufficient to meet resident care and acuity needs.

To avoid delays caused by staff turnover, facilities are encouraged to identify a single, dedicated email address for exception-related communications. The email address should:

- Be accessed by authorized personnel via systemic permissions set by the facility; and
- Not be assigned to a specific staff member.

If you have any questions, please contact RCSpolicy@dshs.wa.gov.

Sincerely,

Amy Abbott, Director
Residential Care Services

DSHS: *"Partnering with People"*

Related References:

- RCW 74.42.360,
- List of Essential and Small Nonessential Community NH Providers.docx,