



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

September 3, 2021

AL TSA: NH #2021-070
CR-103E FILED TO EXTEND EMERGENCY RULES AMENDING NURSING HOME
REQUIREMENTS RELATED TO TB TESTING AND COVID-19 VACCINES

Dear Nursing Facility/Home Administrator:

The Department of Social and Health Services (department) filed emergency rules (WSR 21-04-020) effective January 25, 2021, related to WACs 388-97-1380 and -1580. The rules were amended in response to the significant threat of COVID-19. The rules were consecutively extended with the last extension (WSR 21-11-069) expiring on September 14, 2021.

On September 14, 2021, the department filed a CR-103E ([WSR 21-18-064](#)) to extend the amended rules. The rules expire on December 24, 2021.

These emergency rules amended WAC [388-97-1380](#) and WAC [388-97-1580](#) to permit tuberculosis (TB) testing to be deferred in some circumstances if, after weighing the risks and benefits, administration of the COVID-19 vaccine prior to TB testing is determined to be the best course of action. If TB testing is deferred, the amended rules outline documentation requirements.

The adoption of the rules allows facilities to adhere to the Centers for Disease Control and Prevention (CDC) [vaccine recommendations](#).

The department filed a CR-101 ([WSR 21-11-061](#)) on May 14, 2021 to consider permanently amending WACs 388-97-1380 and -1580. The CR-101 document is available on Aging and Long Term Support Administration's (AL TSA) Information for [Nursing Home Professionals](#) web page, under "NH Rule Filings". The department remains in discussion about adding language to the rules to explain the circumstances and times under which suspension of the rules was necessary due to COVID-19.

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact Molly McClintock, Nursing Home Policy Program Manager, at (360)742-6966 or molly.mcclintock@dshs.wa.gov.

Sincerely,

Mike Anbesse, Director
Residential Care Services

DSHS: "Transforming Lives"