



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

April 29, 2020

ALISA: NH #2020-027
EMERGENCY RULES AMENDING WAC 388-97-1260

Dear Nursing Facility/Home Administrator:

The Department of Social and Health Services filed an emergency rule ([WSR 20-10-034](#)) effective April 28, 2020 related to Physician Services. This rule is amended in response to the significant threat of COVID-19 to our most vulnerable populations, especially for those receiving care in nursing homes.

WAC 388-97-1260 was amended to permit the physician to delegate tasks to a registered nurse practitioner or a physician assistant, even if it is required to be performed by the physician in regulation and regardless of the frequency of the delegation. The amendment does not change the required frequency of physician/delegate visits or the requirement for the physician to supervise the delegate. The delegate must only perform tasks within the scope of practice of their credential.

The adoption of the rule helps to align the state rule with rules the Centers for Medicare and Medicaid Services (CMS) has waived or amended in response to the COVID-19 pandemic. The state emergency rule expires August 26, 2020.

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact [Lisa Herke](#), Nursing Home Policy Program Manager, at (509) 209-3088.

Sincerely,

Candace Goehring, Director
Residential Care Services

DSHS: "Transforming Lives"