



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

March 30, 2021

**AL TSA: NH #2021-026**

**24-HOUR REGISTERED NURSE STAFFING REQUIREMENT UPDATE**

Dear Nursing Facility/Home Administrator:

In 2015, the legislature acted to require non-essential nursing homes to have registered nurse (RN) staffing 24 hours per day. In 2016, a provision for non-essential facilities to apply for an exception to the staffing standard was added to the law. Nursing homes designated as essential or small (licensed for 60 beds or less) are required to have at least 16 hour RN staffing each day.

Due to the COVID-19 state of emergency, on March 18, 2020, Governor Inslee issued proclamation [20-18](#) that suspended parts of the RN staffing statute, including requirements for 24 hour RN staffing at non-essential facilities, requirements for 16 hour RN staffing at small or essential facilities, and the staffing exception language. Specific to RN staffing, the proclamation suspended [RCW 74.42.360\(3\)\(4\)](#) and [WAC 388-97-1080\(3\) through \(8\)](#). Subsequent proclamations extended the suspension. On January 18, 2021, the legislature passed [Senate Concurrent Resolution \(SCR\) 8402](#), which continues the suspensions of RN staffing rules and the staffing exception process until the termination of the state of emergency, or until rescinded by gubernatorial or legislative action, whichever occurs first.

Because the state RN staffing requirements and the exception process are suspended, Residential Care Services (RCS) will no longer accept exception requests from facilities until nearer to the time that the RN staffing requirements and the exception process are re-implemented. RCS will contact facilities who have applied for an exception during the state of emergency when the staffing rule re-implementation date is known. RCS will also notify facilities with a letter when we are able to accept and review exception requests.

Facilities continue to be required to have sufficient staffing to meet the health and safety needs of all residents. All Medicare certified facilities must remain in compliance with federal staffing regulations related to nursing staff. The federal regulations are found in [Appendix PP](#) of the State Operations Manual at F725 through F732.

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 or [lisa.herke@dshs.wa.gov](mailto:lisa.herke@dshs.wa.gov).

Sincerely,

Mike Anbesse, Director  
Residential Care Services

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