



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

June 17, 2021

AL TSA: NH #2021-047

CR-103E FILED TO EXTEND EMERGENCY RULES AMENDING NURSING HOME REQUIREMENTS FOR DISASTER AND EMERGENCY PREPAREDNESS, QUALITY ASSESSMENT AND ASSURANCE, AND RESIDENT ROOMS

Dear Nursing Facility/Home Administrator:

On June 23, 2020, the Department of Social and Health Services (DSHS) filed an emergency rule (WSR [20-14-026](#)) related to fire drills, windows in resident rooms, and quality assurance requirements in response to the significant threat of COVID-19. Since then, DSHS filed extensions to maintain the emergency rules. The latest CR-103E (WSR [21-05-059](#)) expired June 16, 2021.

RCS filed another CR-103E (WSR [21-13-069](#)), effective June 16, 2021, to extend the amended rule for a third time. The rule expires on October 12, 2021.

- Current nursing home rules require periodic fire drills as well as staff training about how to respond to a fire. WAC 388-97-1740 was amended to remove the requirement for periodic fire drills. Training on responding to a fire is still required.
- Amendment of WAC 388-97-1760 reduced the scope of quality assurance activities. Facilities must continue to review adverse events and infection control.
- Current nursing home rules require a transparent glass window in each resident room. Amendment of WAC 388-97-2400 waives the requirement for a transparent glass window. This will increase the ability for facilities to increase capacity temporarily by utilizing windowless space for resident rooms.

The adoption of the emergency rule helps to align state rules with rules the Centers for Medicare and Medicaid Services have waived or amended in response to the COVID-19 pandemic.

Additionally, DSHS filed a CR-101 ([WSR 20-21-034](#)) on October 12, 2020 to begin permanent rule making on the above rules and other related rules.

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.

Sincerely,

Mike Anbesse, Director
Residential Care Services

DSHS: "Transforming Lives"