



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

November 18, 2021
AMENDED December 3, 2021

AL TSA: NH #2021-090
CR103P NURSING HOME RULE FILING

Dear Nursing Facility/Home Administrator:

This letter is amended to correct reference to ‘direct care staff’ as part of the permanent rule adoption.

This letter announces the filing of a CR-103 (Permanent Rule) adopting amendments to [Chapter 388-97 WAC, Nursing Homes](#). The Department of Social and Health Services (department) adopted revisions to amend the staffing language in WAC 388-97- 0001 and WAC 388-97-1090 to revise the definition of “direct care staff”; establish the methodology for calculating the hours per day minimum staffing standard; and include when the Director of Nursing Services hours must be included or excluded in calculating the minimum staffing standard.

A public hearing was held on October 5, 2021. The department did not receive any comments during the public comment period. See the [Concise Explanatory Statement](#) for more information.

The department filed the [CR-103P Rule-making Order](#) for permanent rules under WSR 21-23-036 on November 8, 2021. The permanent rule will become effective on December 9, 2021.

The scope of these changes is to:

- Revise the definition of “direct care staff”;
- Establish the methodology for calculating the hours per day minimum staffing standard; and
- Amend the staffing language in WAC 388-97- 0001 and WAC 388-97-1090 to include when the Director of Nursing Services hours must be included or excluded in calculating the minimum staffing standard.

While the permanent rule won’t appear online for at least two weeks after the full text of the rule is published in the Washington State Register, you can access it at [this link](#).

If you have any questions, please contact Sondra Silverman, Policy Program Manager, at Sondra.Silverman@dshs.wa.gov or at (360) 688-0715.

Sincerely,

Mike Anbesse, Director
Residential Care Services

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