



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

February 11, 2022

AL TSA: NH #2022-013

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 (the department) 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, the department filed extensions to maintain the emergency rules.

The department filed a CR-103E ([WSR 22-04-038](#)), effective February 3, 2022, to extend the amended rule. The emergency rules will be effective for 120 days. The rule expires on May 26, 2022. These are the amended rules:

- WAC 388-97-1740 waives the requirement for periodic fire drills. Training on responding to a fire is still required.
- WAC 388-97-1760 reduces the scope of quality assurance activities. Facilities must continue to review adverse events and infection control.
- 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 (CMS) has 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 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"