



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

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FILED

DATE: September 19, 2018

TIME: 11:57 AM

WSR 18-19-108

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 18-05-022 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The department is proposing to create new sections and amend existing sections within chapter 388-112A WAC "Residential Long-Term Care Services Training". These sections provide training and certification requirements for long-term care workers in residential settings, along with instructor and curricula standards.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
November 6, 2018	10:00 a.m.	Office Building 2 DSHS Headquarters 1115 Washington Olympia, WA 98504	Public parking at 11 th and Jefferson. A map is available at: https://www.dshs.wa.gov/sesa/rules-and-policies-assistance-unit/driving-directions-office-bldg-2

Date of intended adoption: Not earlier than November 7, 2018 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: DSHS Rules Coordinator

Address: PO Box 45850
Olympia, WA 98504

Email: DSHSRPAURulesCoordinator@dshs.wa.gov

Fax: 360-664-6185

Other:

By (date) 5:00 p.m. November 6, 2018

Assistance for persons with disabilities:

Contact Jeff Kildahl, DSHS Rules Consultant

Phone: 360-664-6092

Fax: 360-664-6185

TTY: 711 Relay Service

Email: Kildaja@dshs.wa.gov

Other:

By (date) October 23, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The department is amending chapter 388-112A WAC "Residential Long-Term Care Services Training". The proposed rules include the following changes: WAC 388-112A-0050, 388-112A-0060, 388-112A-0070, 388-112A-0090 contain technical corrections on identifying qualifying credential for exemption; WAC 388-112A-0125 clarifies employment and training records that caregivers should provide and employers review prior to hire; WAC 388-112A-0495 corrects language to be consistent with statute requirements in RCW 18.20.270; WAC 388-112A-0590 clarifies when training may be applied to the seventy-hour long term care worker basic training; WAC 388-112A-0600 rennumbers provisions for clarity; WAC 388-112A-0610, 388-112A-0611, and 388-112A-0612 clarify continuing education requirements with

regard to deadlines and unique employment situations where workers leave and return to long-term care settings; WAC 388-112A-1020 clarifies training pre-approval, and online requirements; and WAC 388-112A-1240, 388-112A-1270, and 388-112A-1285 contain technical corrections to clarify instructor qualifications.

Reasons supporting proposal: These changes are necessary to clarify caregiver training, certification requirements, and training program requirements.

Statutory authority for adoption: RCW 74.39A.009, RCW 74.39A.070, RCW 74.39A.074, RCW 74.39A.341, RCW 18.20.270, RCW 18.88B.021, RCW 18.88B.035, RCW 70.128.230, RCW 71A.12.030, RCW 70.97.080

Statute being implemented: RCW 74.39A.074, RCW 18.88B.021

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) Department of Social and Health Services Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Suemary Trobaugh	4450 10 th Ave SE, Lacey WA 98503	360-725-2516
Implementation:	Christine Morris	4450 10 th Ave SE, Lacey WA 98503	360-725-2549
Enforcement:	Christine Morris	4450 10 th Ave SE, Lacey WA 98503	360-725-2549

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

- Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name: Angel Sullivan
Address: PO Box 45600, Olympia, WA 98504-5310
Phone: 360-725-2495
Fax: 360-725-2646

TTY: 1-800-833-6388
Email: suliva@dshs.wa.gov
Other:

No: Please explain:

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(5) because the department prepared an analysis under RCW 34.05.328.

Explanation of exemptions, if necessary: The proposed amendments do not impose more than minor costs on small businesses so a small business economic impact statement is not required.

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

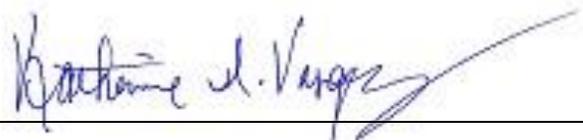
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: September 13, 2018

Name: Katherine I. Vasquez

Title: DSHS Rules Coordinator

Signature:



WAC 388-112A-0050 What are the training and certification requirements for volunteers and long-term care workers in adult family homes, adult family home providers, and adult family home applicants?

(1) The following chart provides a summary of the training and certification requirements for volunteers and long-term care workers in adult family homes and adult family home providers:

Who	Status	Facility Orientation	Safety/orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	Credential such as certification as a home care aide (HCA)
(a) Adult family home resident manager, or long-term care worker in adult family home.	(i) An ARNP, RN, LPN, NA-C, <u>HCA</u> , NA-C student or other professionals listed in WAC 388-112A-0090.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Required per WAC 388-112A-0400.	Not required of ARNPs, RNs, or LPNs in chapter 388-112A WAC. Required twelve hours per WAC 388-112A-0610 for NA-Cs, <u>HCAs</u> and other professionals listed in WAC 388-112A-0090, such as an individual with special education training with an endorsement granted by the superintendent of public instruction under RCW 28A.300.010.	((Not required)) <u>Must maintain in good standing the certification or credential or other professional role listed in WAC 388-112A-0090.</u>

Who	Status	Facility Orientation	Safety/ orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	<u>Credential such as certification as a home care aide (HCA)</u>
	(ii) A long-term care worker employed on January 6, 2012 or was previously employed sometime between January 1, 2011 and January 6, 2012 and has completed the basic training requirements in effect on the date of his or her hire. WAC 388-112A-0090.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Required per WAC 388-112A-0400.	Required twelve hours per WAC 388-112A-0610.	Not required.
	(iii) Employed in an adult family home and does not meet the criteria in subsection (1)(a) or (b) of this section. Meets definition of long-term care worker in WAC 388-112A-0010.	Not required.	Required. Five hours per WAC 388-112A-0200(2) and 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112-0400.	Required. Twelve hours per WAC 388-112A-0610.	<u>Home care aide certification</u> required per WAC 388-112A-0105 within two hundred days of the date of hire as provided in WAC 246-980-0500 (unless the department of health issues a provisional certification under WAC 246-980-065).
(b) Adult family home provider.	A person who has an adult family home license and does not meet the criteria in subsection (1)(a)(i), (ii), or (iii) of this section. This requirement applies to an entity representative of a licensed entity. WAC 388-76-1000.	Not required.	Completed prior to licensing.	Completed prior to licensing.	Completed prior to licensing.	Required. Twelve hours per WAC 388-112A-0610.	<u>Home care aide certification</u> completed prior to licensing.
(c) Volunteer staff in adult family home.	An unpaid person.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Not required.	Not required.	Not required.

(2) The following chart provides a summary of the training and certification requirements for adult family home applicants prior to licensure and adult family home resident managers prior to assuming the duties of the position:

Who	Status	Orientation and safety training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	<u>Credential such as certification as a home care aide (HCA)</u>
(a) Adult family home applicant.	(i) An RN, LPN, ARNP, NA-C, <u>HCA</u> , NA-C student and other professionals as listed in WAC 388-112A-0090.	Not required.	Not required.	Required per WAC 388-112A-0400.	Not required of ARNPs, RNs, or LPNs in chapter 388-112A WAC. Required twelve hours per WAC 388-112A-0610 for NA-Cs, <u>HCAs</u> and other professionals listed in WAC 388-112A-0090, such as an individual with special education training with an endorsement granted by the superintendent of public instruction under RCW 28A.300.010. The CE is not required during application process.	((Not required)) <u>Must maintain in good standing the certification or credential or other professional role listed in WAC 388-112A-0090.</u>
	(ii) A long-term care worker employed on January 6, 2012 or was previously employed sometime between January 1, 2011 and January 6, 2012 and has completed the basic training requirements in effect on the date of his or her hire, WAC 388-112A-0090.	Not required.	Not required.	Required per WAC 388-112A-0400.	Required twelve hours per WAC 388-112A-0610. The CE is not required during application process.	Not required.
	(iii) Seeking a license to operate an adult family home and is not exempt under subsection (2)(a)(i) or (ii) of this section. WAC 388-112A-0030.	Required. Five hours per WAC 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112A-0400.	Required twelve hours per WAC 388-112A-0610. The CE is not required during application process.	<u>Home care aide certification</u> required per WAC 388-112A-0105.

Who	Status	Orientation and safety training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	<u>Credential such as certification as a home care aide (HCA)</u>
(b) Adult family home resident manager.	Employed or designated by the provider to manage an adult family home and is not exempt under subsection (2)(a)(i) or (ii) of this section. WAC 388-112A-0030.	Required. Five hours per WAC 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112A-0400.	Required. Twelve hours per WAC 388-112A-0610.	<u>Home care aid certification</u> required per WAC 388-112A-0105.

(3) The remainder of this chapter describes the training and certification requirements in more detail.

(4) The following training requirements are not listed in the charts in subsections (1) and (2) of this section but are required under this chapter:

(a) First aid and CPR under WAC 388-112A-0720;

(b) Nurse delegation under WAC 388-112A-0500 and 388-112A-0560; and

(c) Adult family home (AFH) administrator training under WAC 388-112A-0810.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0060 What are the training and certification requirements for volunteers and long-term care workers in assisted living facilities and assisted living facility administrators? (1) The following chart provides a summary of the training and certification requirements for volunteers and long-term care workers in assisted living facilities and assisted living administrators or administrator designees:

Who	Status	Facility orientation	Safety/ orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	<u>Credential such as certification as a home care aide (HCA)</u>
(a) Long-term care worker in assisted living facility.	(i) An ARNP, RN, LPN, NA-C, <u>HCA</u> , NA-C student or other professionals listed in WAC 388-112A-0090.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Required per WAC 388-112A-0400.	Not required of ARNPs, RNs, or LPNs in chapter 388-112A WAC. Required. Twelve hours per WAC 388-112A-0610 for NA-Cs, <u>HCAs</u> , and other professionals listed in WAC 388-112A-0090, such as an individual with special education training with an endorsement granted by the superintendent of public instruction under RCW 28A.300.010.	((Not required)) <u>Must maintain in good standing the certification or credential or other professional role listed in WAC 388-112A-090.</u>
	(ii) A long-term care worker employed on January 6, 2012 or was previously employed sometime between January 1, 2011 and January 6, 2012 and has completed the basic training requirements in effect on the date of his or her hire. WAC 388-112A-0090.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Required per WAC 388-112A-0400.	Required. Twelve hours per WAC 388-112A-0610.	Not required.

Who	Status	Facility orientation	Safety/ orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	<u>Credential such as certification as a home care aide (HCA)</u>
	(iii) Employed in an assisted living facility and does not meet the criteria in subsection (1)(a) or (b) of this section. Meets the definition of long-term care worker in WAC 388-112A-0010.	Not required.	Required. Five hours per WAC 388-112A-0200(2) and 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112A-0400.	Required. Twelve hours per WAC 388-112A-0610.	<u>Home care aide certification</u> required per WAC 388-112A-0105 within two hundred days of the date of hire as provided in WAC 246-980-0500 (unless the department of health issues a provisional certification under WAC 246-980-065).
(b) Assisted living facility administrator or administrator designee.	A qualified assisted living facility administrator or administrator designee who does not meet the criteria in subsection (1)(a)(i), (ii), or (iii) of this section.	Not required.	Required. Five hours per WAC 388-112A-0200(2) and 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112A-0400.	Required. Twelve hours per WAC 388-112A-0610.	<u>Home care aide certification</u> required per WAC 388-112A-0105.
(c) Volunteer staff in assisted living facility.	An unpaid person.	Required per WAC 388-112A-0200(1).	Not required.	Not required.	Not required.	Not required.	Not required.

(2) The remainder of this chapter describes the training and certification requirements in more detail.

(3) The following training requirements are not listed in the charts in subsection (1) of this section but are required under this chapter:

- (a) First aid and CPR under WAC 388-112A-0720;
- (b) Nurse delegation under WAC 388-112A-0500 and 388-112A-0560;
- (c) Assisted living facility (ALF) administrator training under WAC 388-78A-2521.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0070 What are the training and certification requirements for applicants, administrators or their designees, volunteers, and long-term care workers in enhanced services facilities?

(1) The following chart provides a summary of the training and certification requirements for applicants, administrators or their designees, volunteers, and long-term care workers in enhanced services facilities:

Who	Status	Facility orientation	Safety/ orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	Quarterly in-service education	<u>Credentia</u> <u>l such as</u> <u>certificati</u> <u>on as a</u> <u>home care</u> <u>aide</u> <u>(HCA)</u>
(a) Enhanced services facility (ESF) applicant, administrator or their designee, or long-term care worker in ESF.	(i) An ARNP, RN, LPN, NA-C, <u>HCA</u> , NA-C student or other professionals listed in WAC 388-112A-0090.	Required by WAC 388-112A-0200 (1).	Not required.	Not required.	Per WAC 388-107-0650 for applicants required prior to facility licensing and for administrators and long-term care workers prior to providing client services.	Not required of ARNPs, RNs, or LPNs in chapter 388-112A WAC. Required twelve hours per WAC 388-112A-0610 for NA-Cs, <u>HCAs</u> , and other professionals listed in WAC 388-112A-0090, such as individuals with special education training with an endorsement granted by the superintendent of public instruction under RCW 28A.300.010. Per WAC 388-107-0670, ten hours must be in subject appropriate for residents served in the facility.	Required of employees per WAC 388-107-0680.	((Not required)) <u>Must maintain in good standing the certification or credential or other professional role listed in WAC 388-112A-0090.</u>

Who	Status	Facility orientation	Safety/ orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	Quarterly in-service education	<u>Credentia</u> <u>l such as</u> <u>certificati</u> <u>on as a</u> <u>home care</u> <u>aide</u> <u>(HCA)</u>
	(ii) Enhanced services facility (ESF) applicant that does not meet the criteria in subsection (1)(a)(i) of this section.	Not required.	Required. Five hours per WAC 388-112 A-0200 (2) and 388-112 A-0340.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Per WAC 388-107-0650 for applicants required prior to facility licensing.	Required. Twelve hours per WAC 388-112A-0610. Per WAC 388-107-0660 and 388-107-0670, ten hours must be in subjects appropriate for residents served in the facility.	Required of employees per WAC 388-107-0680.	<u>Home care aide certification</u> required per WAC 388-112A-0105 within two hundred days of the date of hire as provided in WAC 388-107-0630 (6)(b).
	(iii) A long-term care worker who was employed on January 6, 2012 or was previously employed sometime between January 1, 2011 and January 6, 2012 and has completed the basic training requirements in effect on his or her hire date. WAC 388-112A-0090.	Required per WAC 388-112 A-0200 (1).	Not required.	Not required.	Required per WAC 388-112 A-0400 and prior to providing client services per WAC 388-107-0650.	Required. Twelve hours per WAC 388-112A-0610. Per WAC 388-107-0660 and 388-107-0670, ten hours must be in subjects appropriate for residents served in the facility.	Required of employees per WAC 388-107-0680.	Not required.

Who	Status	Facility orientation	Safety/orientation training	Seventy-hour long-term care worker basic training	Specialty training	Continuing education (CE)	Quarterly in-service education	<u>Credentia</u> <u>l such as</u> <u>certificati</u> <u>on as a</u> <u>home care</u> <u>aide</u> <u>(HCA)</u>
	(iv) Employed in an enhanced services facility and does not meet the criteria in subsection (1)(a)(i), (ii) or (iii) of this section. Meets definition of long-term care worker in WAC 388-112A-0010.	Not required.	Required. Five hours per WAC 388-112A-0200 (2) and 388-112A-0220.	Required. Seventy-hours per WAC 388-112A-0300 and 388-112A-0340.	Required per WAC 388-112A-0400 and prior to providing client services per WAC 388-107-0650.	Required. Twelve hours per WAC 388-112A-0610. Per WAC 388-107-0660 and 388-107-0670, ten hours must be in subjects appropriate for residents served in the facility.	Required of employees per WAC 388-107-0680.	<u>Home care aide certification</u> required per WAC 388-112A-0105 within two hundred days of the date of hire as provided in WAC 246-980-050 (unless the department of health issues a provisional certification under WAC 246-980-065).
(b) Volunteer staff in adult family home or assisted living facility.	An unpaid person.	Required per WAC 388-112A-0200 (1).	Not required.	Not required.	Not required.	Not required.	Not required.	Not required.

(2) The remainder of this chapter and chapter 388-107 WAC describes the training and certification requirements in more detail.

(3) The following training requirements are not listed in the chart in subsection (1) of this section but are required under this chapter:

(a) First aid and CPR under WAC 388-112A-0720; and

(b) Enhanced services facility (ESF) administrator training under WAC 388-112A-0800.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0090 Which long-term care workers are exempt from the seventy-hour long-term care worker basic training requirement?

The following long-term care workers are exempt from the seventy-hour long-term care worker basic training requirement:

(1) An applicant for an adult family home license on or before January 6, 2012 who met the basic training requirements in effect at the time of application;

(2) A person employed as a long-term care worker on January 6, 2012 who completed the basic training requirements in effect on the date of his or her hire;

(3) A person employed as a long-term care worker on January 6, 2012 who completed within one hundred twenty days of hire the basic training requirements in effect on the date of his or her hire;

(4) A person previously employed as a long-term care worker who completed the basic training requirements in effect on the date of his or her hire and was employed as a long-term care worker at some point between January 1, 2011 and January 6, 2012;

(5) Washington state department of health registered nurses, licensed practical nurses, and advanced registered nurse practitioners licensed under chapter 18.79 RCW;

(6) Washington state department of health nursing assistants certified under chapter 18.88A RCW and persons in an approved training program for certified nursing assistants under chapter 18.88A RCW provided that they complete the training program within one hundred twenty days of the date of hire and the department of health has issued them their nursing assistant certified credential within two hundred days of the date of hire;

(7) A home health aide who was employed by a medicare certified home health agency within the year before the home health aide was hired as a long-term care worker and has met the requirements of 42 C.F.R. Sec. 484.36; ((and))

(8) An individual with special education training with an endorsement granted by the Washington state superintendent of public instruction as described in RCW 28A.300.010; and

(9) Washington state department of health home care aides (HCAs) certified under chapter 18.88B RCW.

NEW SECTION

WAC 388-112A-0125 When a licensed home is hiring or a long-term care worker is applying to work in a residential setting what documentation of prior training and certification must be reviewed? To reduce enforcement actions described in WAC-388-112A-0095 and 388-71-0980 against employers and long-term care workers, at hiring the following status and training deadlines must be reviewed:

(1) Long-term care workers must disclose, and employers must verify, the highest level of training or certification received.

(a) When the long-term care worker is HCA certified, the long-term care worker shall provide and the employer must verify that the Washington state HCA credential number is current and in good standing.

(i) When the HCA is certified in the current calendar year, review compliance with the continuing education requirement as provided in WAC 388-112A-0610.

(ii) When the HCA has a specialty training requirement, the training must be completed as provided in WAC 388-112A-0495.

(b) When the long-term care workers is exempt from the seventy-hour long-term care worker training and certification requirements due to their status as an exempt worker provided in WAC 388-112A-0090, which includes amongst others RNs, LPNs, NACs, and those exempt due to their work history:

(i) The long-term care worker shall provide documentation of their exemption status. This documentation may include:

(A) Washington state active credential number, which the employer must verify is in good standing; or

(B) Letter from their employer documenting work history during the exemption period and completion of basic training when it was required; or

(C) Employment history records from the Washington state Employment Security Department documenting work history information during the exemption period and documentation of the basic training when it was required; or

(D) Federal tax statements documenting work history information during the exemption period, and documentation of the basic training when it was required.

(ii) The exempt long-term care worker, which includes amongst others NACs and those exempt due to their work history, shall provide for the year they are hired documentation of completion of twelve hours of continuing education, or information on when the continuing education must be completed, that complies with WAC 388-112A-0610.

(iii) When the exempt long-term care worker, which includes amongst others NACs and those exempt due to their work history, has a specialty training requirement, the training must be completed as provided in WAC 388-112A-0495.

(c) Long term care workers that failed to meet basic training or certification deadline requirement as provided in WAC 388-112A-0120 and were terminated from employment may be eligible to have the Washington state department of health (DOH) reset the date of hire if the worker meets the criteria provided in WAC 388-112A-0110.

(i) Long term care workers that are eligible to reset their date of hire as provided in WAC 388-112A-0110 must reapply to DOH, and adhere to their updated training or certification deadline requirements.

(ii) Long term care workers that are not eligible to reset their date of hire as provided in WAC 388-112A-0110 must not be paid to provide personal care assistance until they complete required training and become certified as a long term care worker. If these long-term care workers complete training after their deadline, they can return to work if this is before their two hundred day, or two-hundred sixty day deadline for certification.

(d) Long-term care workers must document their compliance with their continuing education deadlines as provided in 388-112A-0610.

(i) Long-term care workers that worked in the previous year in a long term care setting are held accountable for their CE completion by their employer in this time period and shall provide at new hire documentation of their continuing education compliance during the current calendar year; or

(ii) Long-term care workers that work for multiple employers or move between employers shall at hire provide documentation of CE completion, when required.

(2) When a long-term care worker resigns and is rehired in a long-term care setting in multiple calendar years, the employer must complete a character, competency, or suitability determination to assess if the long-term care worker has a pattern of non-compliance with

training or certification requirements. The long-term care worker may not be hired if a pattern of non-compliance with training or certification exists.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0495 What are the facility long-term care workers' specialty training deadlines and what is the requirement for supervision until the training is completed? Adult family homes.

(1) If an adult family home serves one or more residents with special needs, long-term care workers must complete and demonstrate competency in specialty training within one hundred twenty days of hire.

(2) During the period to complete the specialty training the long-term care worker must not provide personal care to a resident with special needs without direct supervision until that long-term care worker demonstrates competency in specialty training.

(3) The long-term care worker may have indirect supervision if the long-term care worker is one or more of the following:

(a) The long-term care worker is a nursing assistant certified (NA-C) under chapter 18.88A RCW;

(b) The long-term care worker is a certified home care aide (HCA) under chapter 18.88B RCW;

(c) The long-term care worker is a licensed practical nurse (LPN) under chapter 18.79 RCW;

(d) The long-term care worker is a registered nurse (RN) under chapter 18.79 RCW;

(e) The long-term care worker meets the exemption criteria described in WAC 388-112A-0090.

Assisted living facilities.

(4) If an assisted living facility serves one or more residents with special needs, long-term care workers must complete and demonstrate competency in specialty training within one hundred twenty days of hire. However, if specialty training is not integrated with basic training, the specialty training must be completed within ninety days of completion of basic training.

(5) During the period to complete the specialty training, the long-term care worker must not provide personal care to a resident with special needs without (~~indirect~~) direct supervision until that long-term care worker demonstrates competency in specialty training as provided in RCW 18.20.270.

Enhanced services facilities.

(6) Enhanced services facilities are facilities that serves one or more residents with special needs, and long-term care workers must complete and demonstrate competency in mental health and dementia specialty training prior to providing client services.

(7) Long-term care workers are not required to complete specialty training if the adult family home or assisted living facility has no residents with a special need where the specialty training is required.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0590 May nurse delegation core and specialized diabetes training occur in the same year as the seventy-hour long-term care worker basic training? (1) Nurse delegation core and specialized diabetes training may occur in the same year as basic training if required to be able to perform delegated tasks. The training hours when completed within one hundred twenty days of hire may apply to the population specific component of the seventy-hour long-term care worker basic training.

(2) Long-term care workers in enhanced services facilities are not permitted to perform nurse delegated tasks.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0600 What is continuing education and what topics may be covered in continuing education? (1) Continuing education is annual training designed to promote professional development and increase a caregiver's knowledge, expertise, and skills. DSHS must approve continuing education curricula and instructors.

(2) The same continuing education course must not be repeated for credit unless it is a new or more advanced training on the same topic. However, long-term care workers may repeat up to five credit hours per year on the following topics:

- (a) Bloodborne pathogens and infection control;
- (b) CPR training;
- (c) First-aid training;
- (d) Food handling training;
- (e) Health insurance portability and accountability act (HIPAA);
- (f) Medication assistance;
- (g) Disaster preparedness;
- (h) Aging sensitivity;
- (i) Resident rights as it relates to caregiving issues in chapter 70.129 RCW;
- (j) Resident safety;
- (k) Abuse and neglect identification and mandatory reporting; and
- (l) Topics where the assisted living facility, enhanced services facility, or adult family home can demonstrate a need for retraining.

((+2)) (3) Continuing education must be on a topic relevant to the care setting, care needs of residents, or long-term care worker career development. In addition to the topics listed in subsection (1) of this section, topics or course may include:

- (a) Personal care services;
- (b) Mental illness;
- (c) Dementia;
- (d) Developmental disabilities;
- (e) Depression;
- (f) Communication skills;
- (g) Positive resident behavior support;
- (h) Developing or improving resident centered activities;
- (i) Dealing with wandering or aggressive resident behaviors;

- (j) Deescalating challenging behaviors; and
- (k) Medical conditions.

~~((3))~~ (4) Nurse delegation core and nurse delegation specialized diabetes training hours when not applied to basic training hours may count towards continuing education.

~~((4))~~ (5) Specialty training, except if completed through a challenge test, may be used to meet continuing education requirements.

~~((5))~~ (6) When hours from a class approved as specialty training are counted toward basic training requirements, the hours must not be counted toward continuing education.

~~((6))~~ (7) Residential care administrator training under WAC 388-112A-0800 may be used to meet the continuing education requirements described in WAC 388-112A-0610 during the year it was completed.

~~((7))~~ (8) Successful completion of a department of health approved home care aide certified alternative bridge program may be applied up to twelve hours of continuing education in the year it was completed.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-0610 Who in an adult family home is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed? The continuing education training requirements that apply to certain individuals working in adult family homes are described below.

(1) Adult family homes.

(a) The following long-term care workers must complete twelve hours of continuing education by their birthday each year:

~~(i) Certified home care aides ((must complete twelve hours of continuing education by their birthday each year after obtaining certification as required by the Washington department of health as described in RCW 74.39A.341.~~

~~(b) If exempt from certification as described in));~~

(ii) Long-term care workers who are exempt from certification under RCW 18.88B.041, ((long-term care workers must complete twelve hours of continuing education by their birthday each year.

~~(i) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, the continuing education does not apply to registered nurses and licensed practical nurses licensed under chapter 18.79 RCW.~~

(ii) Continuing education requirements under subsection (1)(b) of this section do not apply to)) and WAC 388-112A-0090(1) through (3) because they worked during the exemption period of January 1, 2011 to January 6, 2012, and they completed all of the basic training requirements in effect on the date they were hired; and

(iii) Certified nursing assistants, and persons with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(iv) Adult family home applicants, home entity representatives, and resident managers as provided in WACs 388-112A-0050 and 388-76-10146.

~~((e) For)) (b) Long-term care workers ((that)), who are certified as a home care aide ((or nursing assistant, if the first renewal~~

~~period is less than a full year from the initial date of certification, no continuing education will be due for the first renewal period), must comply with continuing education requirements under chapter 246-980 WAC;~~

~~(c) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section, must complete the annual continuing education requirements for each calendar year in which they performed any work as a long-term care worker.~~

~~(d) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section and that have not worked in long-term care for a calendar year or longer, are eligible to return to work as a long-term care worker when the continuing education hours required under subsection (c) of this section are completed within the following timeframes:~~

~~(i) On or before their birthday, if their birthday takes place after the date they return to work; or~~

~~(ii) Within forty-five calendar days of the date they returned to work, if their birthday took place on or before the day they returned to work.~~

~~(A) If this forty-five calendar day time period allows workers to complete their continuing education in January or February of the following year, the hours of credit earned will be applied to the year in which they were hired.~~

~~(B) Continuing education requirements for the calendar year after the year they were hired must be completed as required under subsection (1)(a) of this section, even if that means the long-term care worker must complete twenty-four hours of classes (twelve hours for the year they were hired and twelve hours for the next year) within a very short time.~~

~~(e) At initial certification, long-term care workers certified as home care aides or nursing assistants (NAC), have the following deadline to complete their first annual continuing education requirements:~~

~~(i) When the first renewal date for certification is less than twelve months from the date of initial certification, the long-term care worker is not required to complete the annual continuing education until the second annual renewal date; or~~

~~(ii) When the first renewal date for certification is more than twelve months from the date of initial certification, the long-term care worker must complete the annual continuing education by the first certification renewal date.~~

~~(f) Continuing education must include one half hour per year on safe food handling in adult family homes as described in RCW 70.128.250 when the long-term worker does not maintain a food handler's permit.~~

~~(2) (**Assisted living facilities.**~~

~~(a) Certified home care aides must complete twelve hours of continuing education by their birthday each year after obtaining certification as required by the Washington department of health as described in RCW 74.39A.341.~~

~~(b) Long term care workers exempt from certification under RCW 18.88B.041 must complete twelve hours of continuing education by their birthday each year.~~

~~(c) For long term care workers that are certified as a home care aide or nursing assistant, if the first renewal period is less than a full year from the initial date of certification, no continuing education will be due for the first renewal period.~~

~~(i) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, the continuing education does not apply to registered nurses and licensed practical nurses licensed under chapter 18.79 RCW.~~

~~(ii) Continuing education requirements under subsection (2)(b) of this section apply to certified nursing assistants and persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010.~~

~~(iii) Assisted living facility administrators or the administrator designees must complete twelve hours of continuing education by their birthday each year.~~

~~(3) **Enhanced services facilities.**~~

~~(a) Certified home care aides must complete twelve hours of continuing education by their birthday each year after obtaining certification as required by the Washington department of health as described in RCW 74.39A.341.~~

~~(b) Long term care workers exempt from certification under RCW 18.88B.041 must complete twelve hours of continuing education by their birthday each year for each year they worked.~~

~~(c) For long term care workers that are certified as a home care aide or nursing assistant, if the first renewal period is less than a full year from the initial date of certification, no continuing education will be due for the first renewal period.~~

~~(i) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, the continuing education does not apply to registered nurses and licensed practical nurses licensed under chapter 18.79 RCW.~~

~~(ii) Continuing education requirements under subsection (3)(b) of this section do apply to certified nursing assistants and persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010.~~

~~(iii) Enhanced services facility administrators or the administrator designees must complete twelve hours of continuing education by their birthday each year.~~

~~(d) Enhanced services facility certified home care aide staff and nursing assistant certified staff must have ten of their twelve hours of annual continuing education cover relevant education regarding the population served in the enhanced services facility as provided in WAC 388-107-0660.~~

~~(e) In addition to the annual continuing education requirements for individual staff, the enhanced services facility must provide three hours of staff education per quarter relevant to the needs of the population served.~~

~~(4) A long term care worker who does not complete continuing education as required in subsections (1) through (3) of this section or RCW 74.39A.341 must not be paid to provide care until they complete the required continuing education.~~

~~(5) One hour of completed classroom instruction or other form of training (such as an online course) equals one hour of continuing education. For online courses, the training entity must establish a way for the long term care worker to ask the instructor questions)) A long-term care worker who does not complete continuing education as required in subsection (1) of this section or RCW 74.39A.341 must not provide care until they complete the required continuing education.~~

~~(3) One hour of completed classroom instruction or other form of training (such as an online course) equals one hour of continuing education. For online courses, the training entity must establish a way for the long-term care worker to ask the instructor questions.~~

NEW SECTION

WAC 388-12A-0611 Who in an assisted living facility is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed? The continuing education training requirements that apply to certain individuals working in assisted living facilities are described below.

(1) **Assisted living facilities.**

(a) The following long-term care workers must complete twelve hours of continuing education by their birthday each year:

(i) Certified home care aides;

(ii) Long-term care workers who are exempt from certification under RCW 18.88B.041, and WAC 388-112A-0090(1) through (3) because they worked during the exemption period of January 1, 2011 to January 6, 2012, and they completed all of the basic training requirements in effect on the date they were hired;

(iii) Certified nursing assistants, and persons with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(iv) Assisted living facility administrators or the administrator designees must complete twelve hours of continuing education by their birthday each year.

(b) Long-term care workers, who are certified home care aides, must comply with continuing education requirements under chapter 246-980 WAC;

(c) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section, must complete the annual continuing education requirements for each calendar year in which they performed any work as a long-term care worker.

(d) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section and that have not worked in long-term care for a calendar year or longer, are eligible to return to work as a long-term care worker when the continuing education hours required under subsection (c) of this section are completed within the following timeframes:

(i) On or before their birthday, if their birthday takes place after the date they return to work; or

(ii) Within forty-five calendar days of the date they returned to work, if their birthday took place on or before the day they returned to work.

(A) If this forty-five calendar day time period allows workers to complete their continuing education in January or February of the following year, the hours of credit earned will be applied to the year in which they were hired.

(B) Continuing education requirements for the calendar year after the year they were hired must be completed as required under subsection (1)(a) of this section, even if that means the long-term care worker must complete twenty-four hours of classes (twelve hours for the year they were hired and twelve hours for the next year) within a very short time.

(e) At initial certification, long-term care workers certified as home care aides or nursing assistants (NAC), have the following deadline to complete their first annual continuing education requirements:

(i) When the first renewal date for certification is less than twelve months from the date of initial certification, the long-term care worker is not required to complete the annual continuing education until the second annual renewal date; or

(ii) When the first renewal date for certification is more than twelve months from the date of initial certification, the long-term care worker must complete the annual continuing education by the first certification renewal date.

(2) A long-term care worker who does not complete continuing education as required in subsection (1) of this section or RCW 74.39A.341 must not provide care until they complete the required continuing education.

(3) One hour of completed classroom instruction or other form of training (such as an online course) equals one hour of continuing education. For online courses, the training entity must establish a way for the long-term care worker to ask the instructor questions.

NEW SECTION

WAC 388-112A-0612 Who in an enhanced services facility is required to complete continuing education training each year, how many hours of continuing education are required, and when must they be completed? The continuing education training requirements that apply to certain individuals working in enhanced services facilities are described below.

(1) **Enhanced services facilities.**

(a) The following long-term care workers must complete twelve hours of continuing education by their birthday each year:

(i) Certified home care aides;

(ii) Long-term care workers who are exempt from certification under RCW 18.88B.041, WAC 388-112A-0090(1) through (3), and WAC 388-71-0839(1) through (3) because they worked during the exemption period of January 1, 2011 to January 6, 2012, and they completed all of the basic training requirements in effect on the date they were hired;

(iii) Certified nursing assistants, and persons with special education training and an endorsement granted by the Washington state office of superintendent of public instruction, as described in RCW 28A.300.010; and

(iv) Enhanced services facility administrators or the administrator designees must complete twelve hours of continuing education by their birthday each year.

(b) Long-term care workers, who are certified home care aides, must comply with continuing education requirements under chapter 246-980 WAC;

(c) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section, must complete the annual continuing education requirements for each calendar year in which they performed any work as a long-term care worker.

(d) Long-term care workers, who are exempt from home care aide certification under either subsection (a)(ii) or (a)(iii) of this section and that have not worked in long-term care for a calendar year or longer, are eligible to return to work as a long-term care worker when

the continuing education hours required under subsection (c) of this section are completed within the following timeframes:

(i) On or before their birthday, if their birthday takes place after the date they return to work; or

(ii) Within forty-five calendar days of the date they returned to work, if their birthday took place on or before the day they returned to work.

(A) If this forty-five calendar day time period allows workers to complete their continuing education in January or February of the following year, the hours of credit earned will be applied to the year in which they were hired.

(B) Continuing education requirements for the calendar year after the year they were hired must be completed as required under subsection (1)(a) of this section, even if that means the long-term care worker must complete twenty-four hours of classes (twelve hours for the year they were hired and twelve hours for the next year) within a very short time.

(e) At initial certification, long-term care workers certified as home care aides or nursing assistants (NAC), have the following deadline to complete their first annual continuing education requirements:

(i) When the first renewal date for certification is less than twelve months from the date of initial certification, the long-term care worker is not required to complete the annual continuing education until the second annual renewal date; or

(ii) When the first renewal date for certification is more than twelve months from the date of initial certification, the long-term care worker must complete the annual continuing education by the first certification renewal date.

(f) Enhanced services facility certified home care aide staff and nursing assistant certified staff must have ten of their twelve hours of annual continuing education cover relevant education regarding the population served in the enhanced services facility as provided in WAC 388-107-0660.

(g) In addition to the annual continuing education requirements for individual staff, the enhanced services facility must provide three hours of staff education per quarter relevant to the needs of the population served.

(2) A long-term care worker who does not complete continuing education as required in subsection (1) of this section or RCW 74.39A.341 must not provide care until they complete the required continuing education.

(3) One hour of completed classroom instruction or other form of training (such as an online course) equals one hour of continuing education. For online courses, the training entity must establish a way for the long-term care worker to ask the instructor questions.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1020 What must be submitted to DSHS for curriculum approval? (1) If a training entity modifies a department developed curriculum in any manner, the training entity must submit the curriculum to the department for approval.

(2) Training must not be offered before receiving department curriculum and instructor approval.

(3) Online classes when applicable must adhere to the DSHS online class standards in effect at the time of approval. These online standards are posted on the DSHS's website.

(4) For orientation and safety training:

(a) Submit an outline of what will be covered in each training offered, like a table of contents or a class syllabus, that shows where the required introductory topics listed in WAC 388-112A-0210 for orientation and WAC 388-112A-0230 for safety training are covered in the training.

(b) Department required orientation and safety training application forms must be submitted to the department at least forty-five days before the training is expected to be offered.

(c) Training cannot be offered before the department approves the curriculum and instructor.

~~((3))~~ **(5) For continuing education:**

(a) Continuing education curriculum delivery models must only include instructor led, online instructor led (such as a webinar), or online interactive self-paced learning with access to an instructor.

~~(b) ((Online classes must adhere to the DSHS online class standards in effect at the time of approval. These online standards are posted on the department's web site.~~

~~(e))~~ For continuing education classes, submit on a department developed form a summary of the class that includes the topic, a brief description of what the training will cover, a course outline, the number of training hours, and a description of how the training is relevant to the care setting, care needs of residents, or long-term care worker career development.

~~((d))~~ ~~(c)~~ For online training courses, submit the information requested in ~~((e))~~ ~~(b)~~ of this subsection and a description of how the instructor or training will assess that the students have integrated the information being taught.

~~((e))~~ ~~(d)~~ Department required continuing education training application forms must be submitted at least forty-five days in advance of the training. The department must approve the curriculum and instructor before the training may be offered.

~~((4))~~ **(6) For core basic training:**

(a) If the instructor or training entity uses the DSHS developed revised fundamentals of caregiving learner's guide with enhancements, they must submit the DSHS form with all required information.

(b) If the instructor or training entity does not use a DSHS developed revised fundamentals of caregiving learner's guide with enhancements to teach the seventy-hour long-term care worker basic training, they must submit to DSHS the following for approval:

(i) A completed DSHS curriculum checklist indicating where all of the competencies and learning objectives described in this chapter are located in the long-term care worker materials from the proposed curriculum for that course;

(ii) Any materials long-term care workers will receive, such as a textbook, long-term care worker manual, learning activities, audio-visual materials, handouts, and books;

(iii) The table of contents or curriculum outline, including the allotted time for each section;

(iv) Demonstration skills checklists for the personal care tasks described in WAC 388-112A-0320 (12)(a) and (b) and infection control skills such as hand washing and putting on and taking off gloves;

(v) The teacher's guide or manual that includes for each section of the curriculum:

(A) The goals and objectives;

(B) Method of teaching, including learning activities that incorporate adult learning principles;

(C) Methods used to determine whether each long-term care worker understands the materials covered and can demonstrate all skills;

(D) A list of the sources or references that were used to develop the curriculum and if the primary source or reference is not a published citation, the instructor must provide detail on how the content is evidence based;

(E) Description of how the curriculum was designed to accommodate long-term care workers with either limited English proficiency, learning disabilities, or both; and

(F) Description and proof of how input was obtained from consumer and long-term care worker representatives in the development of the curriculum.

(c) Curriculum submitted for the core competency section of basic training, called core basic training, as described in WAC 388-112A-0320, must include how much time students will have to practice skills and how instructors will evaluate and ensure each long-term care worker can proficiently complete each skill.

(d) Entities that submit curriculum for the population specific component of the seventy-hour long-term care worker basic training must submit their own list of competencies and learning objectives used to develop the population specific basic training curriculum.

~~((+5))~~ (7) **For specialty training:**

(a) For specialty training that is not the DSHS developed curriculum or another department approved specialty training curriculum, submit the required specialty training application form and any additional learning objectives added to the competency and learning objectives checklist, the enhancements that have been added, and additional student materials or handouts.

(b) To be approved, an alternative curriculum must at a minimum include:

(i) All the DSHS published learning outcomes and competencies for the course;

(ii) Printed student materials that support the curriculum, a teacher's guide or manual, and learning resource materials such as learning activities, audio-visual materials, handouts, and books;

(iii) The recommended sequence and delivery of the material;

(iv) The teaching methods or approaches that will be used for different sections of the course, including for each lesson:

(A) Learning activities that incorporate adult learning principles and address the learning readiness of the student population;

(B) Practice of skills to increase competency;

(C) Feedback to the student on knowledge and skills;

(D) An emphasis on facilitation by the teacher; and

(E) An integration of knowledge and skills from previous lessons to build skills;

(v) A list of the sources or references, if any, used to develop the curriculum;

(vi) Methods of teaching and student evaluation for students with either limited-English proficiency, learning disabilities, or both;

(vii) A plan for updating material; and

~~((+6))~~ (8) Substantial changes to a previous approved curriculum must be approved before they are used.

WAC 388-112A-1240 What are the minimum qualifications for an instructor for core basic, population specific, on-the-job, residential care administrator, nurse delegation core, and specialized diabetes trainings? An instructor for core basic, population specific, on-the-job, residential care administrator, nurse delegation core, and nurse delegation specialized diabetes trainings must meet the following minimum qualifications:

- (1) Twenty-one years of age;
- (2) Has not had a professional health care, adult family home, assisted living facility, or social services license or certification revoked in Washington state; and
- (3) Meets one or more of the following education or work experience requirements upon initial approval or hire:
 - (a) Is a registered nurse with work experience within the last five years with the elderly or persons with disabilities requiring long-term care in a community setting;
 - (b) Has an associate degree or higher degree in the field of health or human services and six months professional or caregiving experience within the last five years in a community based setting or an adult family home, enhanced services facility, assisted living facility, supported living through the developmental disabilities administration (DDA), or home care setting;
 - (c) Has a high school diploma or equivalent and one year of professional or caregiving experience within the last five years in an adult family home, enhanced services facility, assisted living, supported living through DDA, or home care setting;
- (4) Meets one or more of the following teaching experience requirements:
 - (a) One hundred hours of experience teaching adults in an appropriate setting on topics directly related to basic training or basic training topics that may be offered as continuing education;
 - (b) Forty hours of teaching basic training while being mentored by an instructor who is approved to teach basic training;
 - (c) Instructors with adult family homes, enhanced services facilities, and assisted living facilities that do not meet the criteria in (a) or (b) of this subsection, must have and attest to the following experience in their application:
 - (i) Forty hours of informal teaching experiences unrelated to basic training topics such as guest lecturing, team teaching, and volunteer teaching with parks, local high schools, 4-H groups, English as a second language (ESL) groups, senior organizations, and religious organizations;
 - (ii) Three adult learning techniques that the instructor will implement in his or her long-term care worker training; and
 - (iii) Three ways the instructor plans on improving his or her instructional facilitation and the method the instructor will use to measure improvement such as submitting the continuous improvement plan feedback from the DSHS adult education class;
- (5) Except for instructors for nurse delegation core and diabetes training, completion of a class on adult education that meets the requirements of WAC 388-112A-1297;

(6) The instructor must be experienced in caregiving practices and (~~capable of demonstrating~~) demonstrates competency with respect to teaching the course content or units taught;

(7) Instructors who will administer tests must have experience or training in assessment and competency testing;

(8) Community instructors for nurse delegation core and diabetes training must have a current Washington registered nurse (RN) license in good standing without practice restrictions;

(9) Facility instructors must be approved and contracted by the department as a community instructor in order to be approved to teach the following classes:

(a) Nurse delegation core;

(b) Nurse delegation diabetes training; or

(c) DSHS adult education training curriculum.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1270 What are the minimum qualifications for community instructors for mental health specialty training? (1) The minimum qualifications for community instructors for mental health specialty training, in addition to the general qualifications in WAC 388-112A-1240 (1) and (2), include:

(a) The instructor must be experienced in mental health caregiving practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education, or accredited college classes, in subjects directly related to mental health, including, but not limited to, psychology (one year of education equals twenty-four credits in a semester system, thirty-six credits in a quarter system, or at least eighty hours of seminars, conferences, and continuing education); and

(ii) Successful completion of the mental health specialty training class before the instructor trains others;

(c) Work experience: Two years full-time equivalent direct work experience with people who have a mental illness; and

(d) Teaching experience:

(i) Two hundred hours experience teaching long-term care related subjects;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-112A-1297;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor;

(e) Instructors who will administer tests must have experience or training in assessment and competency testing; and

(2) Five years of full-time equivalent direct work experience with people who have a mental illness may substitute for either:

(a) The credential described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or eighty hours in seminars, conferences, continuing education described in subsection ~~((1)(b)(ii))~~ (1)(b)(i) of this section.

(3) If your status is an approved instructor for mental health specialty training, you may instruct a new mental health specialty training curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-112A-1297.

AMENDATORY SECTION (Amending WSR 17-22-036, filed 10/24/17, effective 11/24/17)

WAC 388-112A-1285 What are the minimum qualifications for community instructors for dementia specialty training? (1) The minimum qualifications for instructors for dementia specialty, in addition to the general qualifications defined in WAC 388-112A-1240 (1) and (2) include:

(a) The instructor must be experienced in dementia caregiving practices and capable of demonstrating competency in the entire course content;

(b) Education:

(i) Bachelor's degree, registered nurse, or mental health specialist, with at least one year of education in seminars, conferences, continuing education or college classes, in dementia or subjects directly related to dementia, such as, but not limited to, psychology (one year of education equals twenty-four credits in a semester system, thirty-six credits in a quarter system, or at least eighty hours of seminars, conferences, or continuing education); and

(ii) Successful completion of the dementia specialty training, prior to beginning to train others;

(c) Work experience: Two years full-time equivalent direct work experience with people who have dementia;

(d) Teaching experience:

(i) Two hundred hours experience teaching long-term care related subjects;

(ii) Successful completion of an adult education class that meets the requirements of WAC 388-112A-1297;

(iii) Successful completion of the DSHS instructor qualification/demonstration process; and

(iv) The instructor has been approved and contracted by the department as a community instructor;

(e) Instructors who will administer tests must have experience or training in assessment and competency testing.

(2) Five years of full-time equivalent direct work experience with people who have dementia may substitute for either:

(a) The credential (bachelor's degree, registered nurse, or mental health specialist) described in subsection (1)(b)(i) of this section; or

(b) The one year of education in college classes or eighty hours in seminars, conferences, continuing education described in subsection ~~((1)(b)(ii))~~ (1)(b)(i) of this section.

(3) If your status is an approved instructor for dementia specialty training, you may instruct a new dementia specialty training

curriculum after submitting to the department a copy of a certificate of completion for that curriculum and a copy of a certificate of completion of an adult education class that meets the requirements of WAC 388-112A-1297.