



PROPOSED RULE MAKING

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

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 07, 2021

TIME: 9:50 AM

WSR 21-14-098

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** 21-11-023 ; 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) chapter 388-112A WAC, Residential Long-Term Care Services Training

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
August 10, 2021	10:00 a.m.	Office Building 2 DSHS Headquarters 1115 Washington Olympia, WA 98504 Or virtual	Public parking at 11 th and Jefferson. A map is available at: https://www.dshs.wa.gov/office-of-the-secretary/driving-directions-office-bldg-2 Due to the impacts of the COVID-19 pandemic, hearings are being held virtually. Please see the DSHS website for the most up to date information.

Date of intended adoption: Not earlier than August 11, 2021 (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. on August 10, 2021

Assistance for persons with disabilities:

Contact DSHS Rules Coordinator
 Phone: 360-664-6097
 Fax: 360-664-6185
 TTY: 711 Relay Service
 Email: DSHSRPAURulesCoordinator@dshs.wa.gov
 Other:
 By (date) July 27, 2021

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

The department is proposing to add a new section as WAC 388-112A-1245, What are the requirements and minimum qualifications for high school instructors and programs that offer core basic, population specific, nurse delegation, and specialty trainings?

Reasons supporting proposal: The department is adding this new section to establish minimum qualifications for high school teachers with certain endorsements and experience to teach long-term care worker basic training to high school students.

Providing training at the high school level represents the Aging and Long-Term Support Administration's ongoing commitment to increase the long-term care workforce in order to fully serve the growing population of individuals who require those services in Washington state. Since most high school teachers do not come from a long-term care work environment, different minimum qualifications need to be established for those instructors.

Statutory authority for adoption: RCW 74.08.090; RCW 70.128.060

Statute being implemented: RCW 74.08.090; RCW 70.128.060

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:	David Chappell	P.O. Box 45600, Olympia, WA 98504-5600	360-725-2516
Implementation:	David Chappell	P.O. Box 45600, Olympia, WA 98504-5600	360-725-2516
Enforcement:	Christine Morris	P.O. Box 45600, Olympia, WA 98504-5600	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?

X Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name: David Chappell

Address: P.O. Box 45600, Olympia, WA 98504-5600

Phone: 360-725-2516

Fax:

TTY:

Email: David.chappell@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:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- 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 .

Explanation of exemptions, if necessary:

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. Rules affect school districts, do not impose more than minor costs

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:

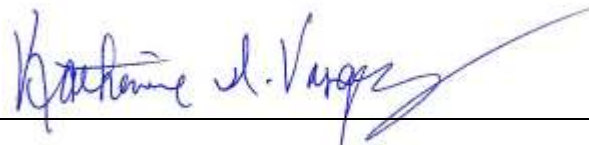
- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: July 2, 2021

Signature:

Name: Katherine i. Vasquez

Title: DSHS Rules Coordinator



NEW SECTION

WAC 388-112A-1245 What are the requirements and minimum qualifications for high school instructors and programs that offer core basic, population specific, nurse delegation, and specialty trainings?

(1) A high school instructor teaching core basic, population specific, nurse delegation core, nurse delegation special focus on diabetes, specialty and expanded specialty trainings must meet the following minimum qualifications:

- (a) Be at least twenty-one years of age;
- (b) Not have had a professional, adult family home, assisted living facility, or social services license or certification revoked in Washington state;
- (c) Meet the following education and work experience requirements upon initial approval or hire:
 - (i) Have a valid teaching credential with a related endorsement such as career and technical education, science, health, or special education; and
 - (A) Have caregiving experience within the last five years in a school, community-based, or home setting; or
 - (B) Be a registered nurse with direct care experience within the last five years; or
 - (C) Be certificated under the vocational code V511614; or
 - (D) Have successfully completed core basic training taught by a DSHS approved instructor; or
 - (E) Have taught forty hours of basic training while being mentored by an instructor who is approved to teach basic training;
 - (d) Have at least 100 hours teaching experience;
 - (e) Be knowledgeable in caregiving practices and demonstrate competency for teaching the course content or units being taught; and
 - (f) Have successfully completed any specialty or expanded specialty training classes before training others;
- (2) In addition to requirements under subsection (1) of this section, an instructor for nurse delegation core or diabetes must have a current Washington registered nurse (RN) license in good standing without practice restrictions.
- (3) A high school home care aide training program must be approved and contracted by the department as a community instructor program.