

August 1, 2023

HCAOA-WA AUGUST 2023 Public Policy Report

Prepared by Leslie Emerick, Lobbyist

Legislative/Political Landscape

I'm back from a weeklong Alaska cruise ship vacation that featured glaciers, eagles, whales, sea otters and more! We got to watch calving glaciers sink into the sea with a thunderous roar... Glacier Bay was amazing!



Not much has changed on the political landscape since July's report...as I mentioned, the Governor's race for 2024 has started to heat up and will make for some interesting politics over the next year! The state budget, which impact health care funding, is doing quite well. The next revenue forecast is scheduled for Sept. 26th and we will have a better idea of where the state budget will be closer to session after the meeting in September. This info will have an impact on the next legislative session.

[Agency rulemaking](#) is starting up to implement the bills that passed during the legislative session and will continue over the summer and fall as they move through the Administrative Procedures Act which is the public process for new state agency rules.

Health Care Authority (HCA)

Home Care Safety Net Assessment Workgroup: HCA staff has reached out to me to participate in the Home Care Safety Net Assessment Workgroup. HCA just received funding on July 1, it will take some time for someone to be brought on board and for the work to get underway. [SHB 1435](#) requires consumer-directed employers and in-home services agencies to submit specified financial information to DOH to inform the development of a home care safety net assessment to secure federal matching funds under the state's Medicaid plan. Establishes the Home Care Safety Net Assessment Work Group to develop the home care safety net assessment proposal.

Difficult to Discharge Pilot (Health Care Authority): I have a meeting with HCA staff, Glory Dole, to discuss being on this workgroup. The final budget funds multiple programs designed specifically to address the populations facing the most barriers to post-acute care placement and long-overdue investments in increased payment rates to Medicaid long-term care providers.

Department of Health (DOH)

Important Information from the Home Care Aide Program and an invite to our [August 1, 3:00-5:00 pm](#) Community Partners Meeting *Updates effective July 23, 2023:*

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- If a home care aide credential is expired less than five years, no continuing education is required to renew the credential. You will simply complete the required forms and pay the fee. If a credential is expired for more than five years, retraining and examination is required. Please note, active credential renewals still require proof of completion of continuing education.
- If a caregiver in training changes employers or returns to employment with a former employer, they may now have a new date of hire. This starts over the 200 days you have to receive your credential. To notify DOH of a new date of hire, you can submit an updated [Employment Verification Form](#) to the credentialing office.
- You will be able to provide care to the following individuals without obtaining or maintaining a home care aide credential:
 - Biological, step, or adoptive child or parents.
 - Siblings, aunts, uncles, cousins, nieces, nephews, grandparents, and grandchildren (including by marriage or domestic partnership).
- You will be required to obtain and maintain a home care aide credential when caring for a spouse or registered domestic partner, **unless** you qualify for the US Dept of Veteran Affairs home and community-based programs.
- **CORRECTION** -- In a previous bulletin we incorrectly stated that you can provide care to a spouse or registered domestic partner without a credential if you are part of the long-term services and supports trust program. This is incorrect. We apologize for any confusion.

The following changes **will take place on September 1, 2023:**

- From September 1, 2023 through July 1, 2025, if your credential has been expired for more than six months but less than two years, your credential will be automatically renewed with no fee, forms to complete, or CE requirements.

To attend join Zoom Meeting ID: 838 2746 9810 Passcode: 340139

<https://us02web.zoom.us/j/83827469810?pwd=TWVzSGJLQTBBVUdWdGQrT2hGdWF6QT09>

One tap mobile: +12532050468,,83827469810#,,, *340139# US

Washington State Board of Nursing (WABON)

The Nursing Commission is changing to Board of Nursing: Washington state has joined the Nurse Licensure Compact (NLC). Beginning July 24, 2023, nurses with an active MSL issued from another state will be able to practice in Washington state. Please note, if an MSL nurse is making Washington state their primary state of residency (PSOR or “home state”), then they must apply for a Washington state “single state” license until Phase 2 of this implementation plan is

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complete. Rulemaking to Implement the NLC: For more information about rules, please visit our Rules in Progress page on our website or email NCQAC.Rules@doh.wa.gov.

As a part of the legislation, [Substitute Senate Bill \(SSB\) 5499 Multistate Nurse Licensure Compact](#), to join the NLC, we are changing our name:

- Old name: Nursing Care Quality Assurance Commission (NCQAC)
- New name: Washington State Board of Nursing (WABON)

You may see these names and acronyms referring to us:

New name:

- Washington State Board of Nursing
- Board of Nursing
- Nursing Board
- WABON

Old name:

- Nursing Care Quality Assurance Commission
- Nursing Commission
- NCQAC

Name Change Next Steps: We will start using our new name, Washington State Board of Nursing (WABON), starting July 24, 2023 and going forward.

Nursing Assistant Rulemaking

The Nursing Care Quality Assurance Commission has filed a joint [CR-102, Proposed Rule](#) with DOH in order to create a new chapter 246-841A WAC, Nursing Assistants and repeal chapters 246-841 WAC, Nursing Assistants and 246-842 WAC, Nursing Assistants – Nursing Homes – Nursing Assistants Training Program. The commission and department are proposing updates to consolidate, clarify and streamline the nursing assistant rules. The CR-102 announces to the public that a rule is being proposed and includes the proposed rule language at the end of the document.

- [CR-102 Proposed Rule and proposed rule language \(PDF\)](#)
- [Significant Analysis](#)

You may provide your comments on the proposed rule in the following ways:

Submit written comments through [August 16, 2023](#) using one of the following options:

1. The Department of Health [online rules comment web page](#)
2. The U.S. Mail:

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- Nursing Care Quality Assurance Commission, PO Box 47864 Olympia, WA 98504

The rules hearing is scheduled for **August 30, 2023 at 2:00 p.m.** Both in-person and virtual attendance options are available for this meeting.

- **Attend the rules hearing in-person:**
 - The in-person hearing will take place at the Department of Health, 111 Israel Rd S.E., Tumwater, WA 98501, Town Center 2, RM 145.
- **Attend the rules hearing virtually online using the Zoom application:**
 - https://us02web.zoom.us/meeting/register/tZlkc-ugrT8tHd3RRDgjjRqpV3P8_0-EE-i#/registration

Important Information for the Rules Hearing:

- In order to give verbal testimony during the rules hearing, you will need to access the meeting using your computer, laptop, or device. Your computer, laptop, or device must have speakers, and microphone in order to give verbal testimony.
- If you are unable to use a computer or phone to access the meeting virtually and wish to provide testimony, please submit written testimony to NCQAC.Rules@doh.wa.gov.

For more information, please contact: Bonnie King, Rule Consultant,
NCQAC.Rules@doh.wa.gov

Employment Security Department (ESD)

Washington Cares Act: [Study shows WA Cares is on solid financial ground](#)

Policy Related Meetings

I invited Tracie Drake, the new DOH Home Care Aide Program Manager to our HCAOA-WA Public Policy Committee meeting on July 13. We discussed how our private pay home care agencies can work together with you on issues impacting home care aides. We have a unique perspective as there is no state reimbursement and some state regulations impact our agencies differently than the IPs or Agency providers in the DSHS program.

LTC Initiative - Education & Career Pathways Subcommittee: **HCAOA-WA, HCAW and WSHPCO has a meeting with Dr. Donald Smith, Chair of the LTC Workgroup on August 3, 1-2 pm.** I attended the state Workforce Development Board meeting in Port Angeles at the Peninsula Community College on June 21st. I was very persuasive in getting them to acknowledge that hospice, palliative care and home health should be considered as part of the LTC spectrum.

WA State Senior Lobby: I attend their monthly meetings and listen to a report from DSHS on Aging and LTC services. I will be attending their conference in October.