We are over the halfway point in this legislative session! HCAOA-WA has been tracking 46 bills this session. We are now down to tracking 30 bills as many died during the bill cut-offs. Some of these bills may be pulled back up as “necessary to implement the budget” and all of the dead bills live for one more year as we have a two-year legislative session.

We’ve passed two important bill cutoff dates…February 17, the last day non-fiscal bills could be considered and passed out of their respective policy committees in the house of origin; and the February 24 fiscal cutoff, the last day bills from House Appropriations and Senate Ways & Means could be passed.

After the policy and fiscal bill cut-offs, legislators have been very busy voting on bills on the floor or their respective houses. The next bill cut-off is on March 8, which is the last day to pass bills in their House of Origin (which means a House bill in the House or Representatives or a Senate bill in the Senate). Many bills have been amended during the legislative process and we want to review whether the amendments to bills are helpful or not! Many concerns get addressed through amendments.

After a bill passed the House of Origin it must go to the Opposite House and go through the same policy and fiscal review all over again. At the end any amendments must be negotiated for the bill to pass and be signed by the Governor. Public hearing start back up on March 9-10 of this week.

**Important dates to keep in mind:**
- Wednesday, March 8: House of origin cutoff
- Wednesday, March 29: Policy committee cutoff – opposite house
- Tuesday, April 4: Fiscal committee cutoff – opposite house
- Wednesday, April 12: Opposite house cutoff
- Thursday, April 23: Last day of session

The state revenue forecast comes out March 20th this year. From then on, it’s a race to the finish to get agreements on a state operating budget. The Governor submitted his version in December as required by law. The House and Senate wait until the revenue forecast comes out to finalize their budget proposals. From there it’s a matter of negotiations and public hearings on the budget until the end of the legislative session.
Bills Impacting Home Care in 2023 Legislative Session!

**SHB 1435 Developing a home care safety net assessment.**
- Requires consumer-directed employers and in-home services agencies to submit specified financial information to the Department of Health 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.

**SSB 5271 Protecting patients in facilities regulated by the department of health by establishing uniform enforcement tools.**
- In-home services agency is defined as a person licensed to administer or provide home health, home care, hospice services, or hospice care center services directly or through a contract arrangement to individuals in a place of temporary or permanent residence.
- A license approved by DOH is required to advertise, operate, manage, conduct, open, or maintain an in-home services agency.

**SHB 1568 Long-term care professionals**
- Exempts certain home care aides and nursing assistants whose credentials have expired from late fees or renewal fees.
- Extends the period of time allowed for long-term care workers to become home care aides or nursing assistants.
- Changes licensing requirements for home care aides and nursing assistants.

**E2SHB 1694 Home care workforce shortage**
- Expands timelines and testing opportunities for long-term care workers seeking certification as a home care aide.
- Expands the list of family members who are exempt from having to become home care aides and reduces the training requirements for these caregivers.
- Exempts certain home care aides and nursing assistants whose licensing credentials have expired from paying late fees or renewal fees.
- Directs the Department of Social and Health Services (DSHS) to study the feasibility and cost of paying the parents of medically complex children under 18 years old and the spouses or registered domestic partners of a person with complex medical needs.
- Directs the DSHS to report annually on long-term care workforce data trends.

**E2SSB 5278 Home care aide certification**
- Allows DOH more discretion for the preparation, grading, and administration of the home care aide certification examination.
March 6, 2023

- Requires the DOH and DSHS to address delays between training and testing, the lack of test sites, and performance and contract management processes, by completing specific requirements and submitting a preliminary report to the Governor and Legislature no later than June 30, 2024.

Department of Health (DOH)

Masking requirements in healthcare, long-term care, and correctional facilities to end:
Effective April 3, the Washington State Department of Health (DOH) will end the Secretary of Health Mask Order, which currently requires universal masking in healthcare, long-term care, and adult correctional facilities for people age 5 and older.

In Washington, COVID-19, RSV, and influenza disease rates and hospitalizations have continued to decline since the end of last year. The end of Washington’s universal masking requirements aligns with similar announcement made today by the state of Oregon.

“Masks have been – and will continue to be – an important tool, along with vaccinations, to keep people healthy and safe,” said Umair A. Shah, MD, MPH, Secretary of Health. “We are thankful for our health and long-term care providers, staff members, patients, and all Washingtonians, for following the important public health measures put in place during the pandemic to protect one another.”

DOH infection prevention and control guidance continues to recommend masks for patients, healthcare providers, and visitors in healthcare settings. Licensed healthcare facilities are required to have infection prevention policies and programs consistent with CDC guidance.

Several worker protection requirements enforced by the state’s Department of Labor & Industries (L&I) remain in effect, including that employees and contractors may choose to use facemasks or other personal protective equipment (PPE) on the job without employer retaliation. Additionally, under the state Health Emergency Labor Standards Act (HELSA) rules, several key worker protections remain in place until the federal pandemic response declaration ends May 11.

The current Secretary of Health Mask Order will remain in place until 11:59pm on April 2. Local or tribal governments, facilities, and providers may choose to continue to require masks in these or other settings.

DOH will continue to issue and update COVID prevention guidance for the public and key sectors, including the use of masks, vaccines, ventilation, and other preventive measures to inform individuals, families, communities, and health leaders on how to stay healthier from COVID-19 and other respiratory illnesses.

The DOH website is your source for a healthy dose of information. Find us on Facebook and follow us on Twitter. Sign up for the DOH blog, Public Health Connection.
March 6, 2023

DOH Announces new testing site: DOH and Prometric are pleased to share there is now a Vancouver test site for the home care aide profession: Dayspring Memory Care, 1712 NW 149th St, Vancouver, WA. The regional site code is WA-REGDMC. Applicants not yet authorized to test should contact the DOH Home Care Aide Unit at 360-236-2700, or email to hmccreview@doh.wa.gov, to update the exam site code. Home Care Aide applicants already authorized to test by DOH or who are retesting should contact Prometric directly at 1-800-324-4689 (call before 2pm as call center is on East Coast time, 3 hours ahead).

Nursing Care Quality Assurance Commission (NCQAC)

Public Rules Workshops: Nursing Assistants - Next Steps: The Nursing Commission filed a CR-101 on February 8, 2021, under WSR: 21-05-021 for Chapter 246-841 and Chapter 246-842, Nursing Assistants. We are revising nursing assistant standards to: Remove duplication, update competencies, revise program requirements.

Workshops completed: We held 7 public workshops to discuss the proposed changes. These workshops were held October 18, 2022, through February 10, 2023. We revised the draft of Chapter 246-841A based on public input.

We are proposing: Repeal of Chapter 246-842 (it duplicates rules), Replace Chapter 246-841 with revised Chapter 246-841A

Next steps: We will file the proposed new Chapter 246-841A with the Code Reviser’s Office. We will set a date and hold a final public hearing to get public feedback. We will review and decide whether to adopt proposed Chapter 246-841A. If we decide to adopt Chapter 246-841A, we will file our decision with the Code Reviser's Office. Chapter 246-841A will become effective 31 days after filing our decision.

Supporting documents:

- Revised Draft of Chapter 246-841A (PDF)
- Workshop Recap and Responses (PDF)

For questions or information, please contact: Jessilyn Dagum, Policy Analyst, NCQAC, NCQAC.Rules@doh.wa.gov