

WAHCA July 2021 Public Policy Report

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Policy Overview

The WA State Department of Health (DOH) issued a “heat wave advisory” on July 25 urging everyone to take precautions, stay cool, and protect themselves during the record-breaking heatwave. Temperatures soared into the triple digits over the weekend and through the early part of the next week breaking records throughout the state.

There were rolling electricity “black-outs” in Spokane area and power went out for thousands around the state.

Is this the new normal? How will our industry adapt to a warming planet?

- [Heatwave Safety](#) including if your power goes out
- [Hot Weather Tips](#)
- [Creating Safer Air Movement](#)



Hundreds believed dead in heat wave despite efforts to help: Seattle Times Article 7/1/21

DOH Incident Command Team (ICT): DOH set up an ICT during the heat wave and is requesting information how it impacted health care providers and agencies. Many seniors were negatively impacted by the heat and according to Christie Spice, Acting Assistant Secretary, are backing up in our hospitals. Since around 50% of residents in WA State do not have air conditioning, there is a big concern about releasing people back into their homes. Do you have any stories to share with DOH about impacts on home care? Spokane area was experiencing rolling blackouts to manage the heat wave. Were any home care agencies impacted by electricity loss in various areas around the state?

Heat Wave Warning from DSHS for Residential Care Facilities: [021-06-28-1.pdf \(wa.gov\)](#)

This extreme heatwave should be treated as a major weather emergency, just like an extreme storm and the possibility of power outages. Generators and/or any auxiliary power systems should be tested, ensuring there is adequate fuel and supplies, and knowing what building systems will work if the system goes to their generator, including HVAC. Adequate water supplies, fuel, and plans to keep the residents sheltered in place for the next several days should be ready as resources will be depleted by the time the extreme weather arrives. Now is the time to pull out the facility emergency and disaster plans, ensure they are up to date, and that staff are educated on how and what to do.

Washington State is opening back up after 15 months of restrictions due to the pandemic!

Governor Inslee announced that the vast majority of COVID restrictions will end on June 30, 2021.

[Inslee statement on upcoming economic reopening | Governor Jay Inslee \(wa.gov\)](#)

July 2, 2021

As Washington state [reopens for business and recreation](#) DOH is encouraging people to keep doing their part to stop the spread of COVID-19. Reopening does not mean the pandemic is over or that the risk of COVID-19 is gone. The Secretary of Health's [mask order remains in place](#). People who are vaccinated can return to their regular lives for the most part, with a few exceptions like [limits on large-scale events](#) and [mask requirements](#) in some high-risk settings. While the state has made tremendous progress on vaccination, more than 35% of people 12 and older in the state have not yet gotten their first dose. DOH is continuing to see outbreaks in areas and settings where vaccination rates are lower.

Businesses and local authorities can set their own more protective mask requirements, even though some state restrictions are being lifted. That's why the DOH message around masking is "Respect the rules of the room you're in," since those rules may change depending on where you are. Guidance for employers is available on the Washington State Department of [Labor & Industries website](#).

Workforce Shortages for Home Care Agencies: This issue continues to be a high priority for WAHCA. The newest findings from the Washington Health Workforce Sentinel Network are now available at www.wa.sentinelnetwork.org. The website includes dashboards summarizing employer responses to the workforce demand questions that have been asked since 2016, as well as a special section on the [impact of the COVID-19 crisis](#) on the health care workforce across the state. See [policy briefs](#) summarizing the findings for a selection of facility types. Much more detail about health workforce demand around the state, including responses to the COVID-19 crisis, can be explored on the Sentinel Network [findings dashboard](#).

The next round of Sentinel Network data collection will be in October 2021. For more information go to: [University of Washington Center for Health Workforce Studies Washington Workforce Training and Education Coordinating Board](#)

Department of Health (DOH)

In-Home Services Rules: DOH plans to update the In-Home Services Rules this fall: Do you have suggestions for changes that should be made? We need to let John Hilger at DOH know soon so he can begin to incorporate into his initial draft for stakeholder to review.

Why are the rules being opened? Initially they were being opened for the Telemedicine Supervisory Visits for Home Health & Hospice rules update. Now the issues will be done as separate rulemaking. These rules will be run concurrently.

When do the WA State Waivers end? Not sure yet. We are hoping that the state provides advance notice of waivers ending to allow agencies to "ramp down" to normal operations. Are there any that we would want to "keep"?

In response to the COVID-19 pandemic, DOH, the State Board of Health, and Health Care Professional Regulatory Boards and Commissions worked to ease some rules to make health care

July 2, 2021

capacity and essential services better for the health of all people in Washington. See link below: <https://www.doh.wa.gov/Emergencies/COVID19/HealthcareProviders/RelaxingRegulatoryRequirements>

Please note that DOH has moved all of the COVID-19 Healthcare Infection Prevention materials to one location. Now, regardless of the healthcare setting, all COVID-19 infection prevention guidance for healthcare settings can be found here:

<https://www.doh.wa.gov/Emergencies/COVID19/HealthcareProviders/InfectionPrevention>

COVID-19 infection prevention guidelines for Home Care Agencies: Here is the link to the recording from the webinar for Home Care Agency Administrators:

<https://attendee.gotowebinar.com/recording/5358689136647711496> on **June 23rd, 2021.**

Updated DOH **Home Care and Hospice Guidance**: document includes updates to the Protecting Staff and Patients section:

- [Employer PPE information](#) from the Washington State Department of Labor & Industries
- DOH's [Respirator and PPE Guidance for In-Home Care](#)
- [CDC guidance](#) for PPE removal

Palliative Care-DOH Rural Health Integration Advisory Team (PC-RHIAT): For more information on their efforts go to: <https://waportal.org/partners/home/washington-rural-palliative-care-initiative> The PC-RHIAT meeting is next week on Wednesday, July 7th from 1:00-2:00 pm. Sharmon Figenshaw will join us to talk about the new Advance Care Planning docs for Honoring Choices Pacific Northwest, as well as the revised POLST form.

DOH Homebound vaccination services: If you have a client unable to leave home to get the COVID-19 vaccine, homebound vaccination services are available through DOH. This service is available to those with a health condition or physical or intellectual disability preventing them from getting vaccinated in the community or require special needs accessible transportation. If you have questions about this service, please email [DOH](#). To setup a homebound vaccination appointment, you or your client can:

- Complete this [survey](#) to submit a homebound vaccination registration form
- Call the State COVID-19 Assistance Hotline at 1-800-525-0127 or 1-888-856-5816
- Call their [local health jurisdiction](#)

Long-Term Care Workforce Steering Committee: We wrapped up the ongoing workgroup to deliver a final report to the legislature with recommendations on how to reduce barriers to entering Long-Term Care Workforce. The final report is completed, here is the link: [Long-term Care Workforce Development Final Report \(wa.gov\)](#)

July 2, 2021

Nursing Care Quality Assurance Commission (NCQAC) Temporary Practice Permits:

NCQAC completes the licensing for all nurses in our state, including RNs, LPNs, ARNPs and Nursing Technicians. Over the last several months, the NCQAC worked with the Governor's office to give top priority to temporary practice permit applications for nurses to assist with the urgent and critical care needs during the COVID-19 response. This included processing expedited application requests from qualifying healthcare facilities. Beginning July 1, 2021, the NCQAC is legislatively required to complete licensure of complete applications within seven days and has staffed accordingly to meet this requirement. In accordance with this new expectation, the NCQAC will no longer be processing expedited application requests from individual facilities.

The NCQAC would also like to remind any nurses who came to Washington under the Emergency Volunteer Healthcare Provider ([chapter 70.15 RCW](#)) program to apply for a permanent license in Washington State. This will avoid a lapse in licensure in the event the Governor declared state of emergency ends. To apply for a Washington State Nursing License, please visit our [licensing webpage](#).

DSHS/ALISA

Safe Start Plan: [LTC Facilities to Follow Safe Start Plan Beyond June 30, 2021](#)

DSHS and DOH Stakeholder Workgroups on Legislation: During the 2021 legislative session, the Washington state legislature passed two bills in response to the COVID-19 public health emergency with major impacts on long-term care facilities and homes:

- ESHB 1120 addresses the statutes and rules that were suspended due to the COVID-19 pandemic and how to return to normal operations at the end of the state of emergency. This directs the department to adopt rules on the suspended topics and adopt in rule the periods of time requirements were suspended and how to reinstate them. These topics include fingerprint background checks, the timeline of licensing inspections, nursing home staffing, and long-term care worker training.
- SHB 1218 addresses the quality of life, health, and safety of long-term care residents during a state of emergency, such as a pandemic. The legislation directs the department develop rules requiring long-term care facilities to develop emergency preparedness plans, respond to communications from the public, make accommodations to assist residents with communication, maintain current resident information, post any notice of stop placement, and support a resident's right to visitation from an essential support person during times when visitation is otherwise limited. The department will be conducting rule-making projects on these topics to amend Chapters 388-97, 388-76, 388-78A, 388-107, and 388-101 WAC in compliance with this legislation. Administrators, providers, and superintendents from long-term care facilities, as well as members of the general public, are invited to participate in this process. This will mean participating in a workgroup or workgroups, attending meetings, and reviewing draft language as the rule changes are drafted and adopted. This project is expected to begin in the summer of 2021 and continue through the adoption

July 2, 2021

of the final rules. If you have any questions or if you want to participate in the rule-making process, please contact the Policy Unit at rcspolicy@dshs.wa.gov.

LTC Services and Supports Mandatory Payroll Deduction begins: In 2019 the state legislature established the LTC Trust in [HB 1087](#). The goal to establish funding for Washington workers with *basic*, publicly funded long term care (LTC) protection—the first of its kind in the nation. The bill is listed as the [Long-Term Services and Supports Trust Program](#)

RCW 50B.04.080 (1) Beginning January 1, 2022, the employment security department shall assess for each individual in employment with an employer a premium based on the amount of the individual's wages. The initial premium rate is fifty-eight hundredths of one percent of the individual's wages. Beginning January 1, 2024, and biennially thereafter, the premium rate shall be set by the pension funding council at a rate no greater than fifty-eight hundredths of one percent. In addition, the pension funding council must set the premium rate at the lowest amount necessary to maintain the actuarial solvency of the long-term services and supports trust account created in RCW 50B.04.100 in accordance with recognized insurance principles and designed to attempt to limit fluctuations in the premium rate. To facilitate the premium rate setting the office of the state actuary must perform a biennial actuarial audit and valuation of the fund and make recommendations to the pension funding council.

Ongoing Public Policy Meetings

WA State Senior Citizens Lobby: This is a monthly meeting I have been attending for over 10 years. Speakers usually include the Assistant Director for Aging and LTC Services at DSHS and other who speak to issues related to servicing senior citizens in our state.

Dementia Collaborative: I have been participating in the states Dementia Collaborative for several years. Although I was officially appointed through the WA State Hospice and Palliative Care Organization, I still wear my “home care” hat when discussing issues impacting in-home services. I am working on a readmissions committee with this group that includes discussions around home care. They are working on a “tool kit” for dementia patients leaving the hospital and how to keep them safe and prevent readmissions.

WA State Hospital Association (WSHA) Readmissions Workgroup: I will be participating in the newly formed Readmissions Workgroup for WSHA. I will see if there are ways to incorporate homecare into their discussions!

Nursing Care Quality Assurance Commission (NCQAC): I attend several different types of meetings with the nursing commission and am tracking issues related to certified and registered nursing assistants (CNA’s), ARNPs and RNs, nurse compact legislation, bills that they are tracking during the legislative session and more!