



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Social and Health Services, Developmental Disabilities Administration

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) January 1, 2016 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

Chapter 388-829 WAC is a new chapter related to training for supported living businesses and their staff, and will be a separate chapter of Developmental Disability Administration (DDA) rules. These new rules will help reduce confusion between the various requirements contained in chapter 388-112 WAC related to residential long term care and the requirements for supported living businesses and their staff.

Citation of existing rules affected by this order:

Repealed: None
Amended: None
Suspended: None

Statutory authority for adoption: RCW 71A.12.030, RCW 71A.12.120, chapter 74.39A RCW

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 15-11-072 on May 19, 2015 (date).

Describe any changes other than editing from proposed to adopted version: See Attachment A.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted:

September 24, 2015

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 29, 2015

TIME: 2:44 PM

WSR 15-20-045

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>51</u>	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	<u>51</u>	Amended	_____	Repealed	_____

Changes other than editing from proposed to adopted version:

WAC 388-829-0001: Added RCW 74.39A.009 to definition of Community Residential Services Businesses.

WAC 388-829-0005: Changed sentence to “DDA Group homes must follow certification requirements described in Chapter 388-112 WAC”.

WAC 388-829-0010: Updated definition of Long Term Care Worker.

WAC 388-829-0015: Added additional table information to clarify working in cross settings.

WAC 388-829-0030: Included staff who already took DD Specialty.

WAC 388-829-0040: Removed CEs conversation.

WAC 388-829-0045: Changed title.

WAC 388-829-0050: Combined time designation for LTCW O and S into a five hour course.

WAC 388-829-0055: Added handwashing to safety as this is a safety issue and not an orientation issue.

WAC 388-829-0060: Added clarification of time restraint.

WAC 388-829-0080: Removed duplicate section (e).

WAC 388-829-0100: Removed reference to O & S.

WAC 388-829-0105: Added body mechanics, infection control, BBP, HIV/AIDS.

WAC 388-829-0145: Added title.

WAC 388-829-0150: Clarified certificates needed for certification.

WAC 388-829-0200: Added #3 to clarify.

WAC 388-829-0235: Added Curricula.

WAC 388-829-0250: Changed “approved” to “authorized”.

WAC 388-829-0300: Redefined peer coaching in definitions section but added RCW reference.

WAC 388-829-0385: Added Agency Orientation.

Chapter 388-829 WAC
Community Residential Service Business Training Requirements

SECTION I - PURPOSE AND DEFINITIONS

NEW SECTION

WAC 388-829-0001 What is the purpose of this chapter? The purpose of this chapter is to describe the following:

- (1) Training and certification requirements that apply to community residential service businesses (CRSB) RCW 74.39A.009 beginning on January 1, 2016;
- (2) Curricula and instructor requirements; and
- (3) Curricula and instructor approval process.

NEW SECTION

WAC 388-829-0005 To whom do the training and certification requirements apply? (1) Long-term care workers (LTCW) and volunteers working for community residential service businesses (CRSB), including supported living services, DDA group homes, group training homes, and licensed staffed residential homes must follow the training requirements of this chapter.

(2) DDA group homes, also licensed as adult family homes or assisted living facilities, must also meet home care aide certification requirements described in WAC 246-980-080. LTCW in all other CRSB settings must comply with the training and curricula requirements of this chapter, but are exempt from home care aide certification through the department of health.

(3) DDA group homes must follow certification requirements described in chapter 388-112 WAC.

NEW SECTION

WAC 388-829-0010 What definitions apply to this chapter? "Activities of daily living (ADL)" means the same as defined in WAC 388-106-0010.

"Agency orientation" is training provided to introduce a new employee to the agency.

"AL TSA" refers to the aging and long-term support administration.

"Approved training" is training that has been submitted to and approved by DSHS as evidenced by a curriculum number.

"Attestation" means to bear witness to the authenticity of a document or documents by signing one's name to it to affirm it is genuine.

"Basic training" includes seventy hours of required training: forty hours of DDA residential training and thirty hours of topics outlined in WAC 388-829-0100(1)(b).

"Certified home care aide" means a person who has a current home care aide certification through the department of health.

"Challenge test" means a competency test taken for training without first taking the class for which the test is designed.

"Community residential service business" (CRSB) has the same meaning as defined in RCW 74.39A.009.

"Competency" or "core competency" means the integrated knowledge, skills, or behavior expected of a LTCW after completing the training in a required topic area. Learning objectives are associated with each competency.

"Competency testing" including challenge testing, is evaluating a student to determine if they can demonstrate the required level of skill, knowledge, and/or behavior with respect to the identified learning objectives of a particular course.

"DD" refers to developmental disability.

"DDA" refers to the developmental disabilities administration.

"Direct care" services rendered by direct support professionals which includes not only those services defined by "personal care services", but also those which promote habilitation and further life-long independence, growth, and development opportunities for individuals.

"Direct support professional" means a paid individual who provides direct, personal, care services and support to one or more persons with developmental disabilities requiring long-term care. This term is more commonly accepted in CRSBs than LTCW.

"Direct supervision" means oversight by a person who has demonstrated competency in the basic training (and specialty training if required), or has been exempted from the basic training requirements, is on the premises, and is quickly available to the direct support professional.

"DOH" refers to the department of health.

"DSHS" or "department" refers to the department of social and health services.

"Enhancement" means additional time provided for skills practice and additional training materials or classroom activities that help a worker to thoroughly learn the course content and skills. Enhancements can include new student materials such as, videos or DVDs, online materials, and/or additional student activities.

"Entity representative" means the individual designated by a CRSB provider who is or will be responsible for the daily operations of a CRSB.

"Guardian" means a legal representative as defined in chapter 11.88 RCW.

"Habilitation" means services defined to assist participants in acquiring, retaining and improving the self-help, socialization and adaptive skills necessary to reside successfully in home and community-based settings.

"Home" means the place where a person lives.

"Home care aid-certified (HCA-C)" means a person who has holds a current certificate issued by the DOH.

"Indirect supervision" means oversight by a person who has demonstrated competency in the basic training, or who has been exempted from the basic training requirements, and who is quickly and easily available to the LTCW, but not necessarily on-site.

"Individual" means a person who has a developmental disability as defined in RCW 71A.10.020(5) who also has been determined eligible to receive services by the division under chapter 71A.16 RCW. Other terms commonly used include "client" and "resident."

"Individual specific" means topics that are unique to an individual.

"Learning objectives" means measurable, written statements that clearly describe what a LTCW must minimally learn to meet each competency. Learning objectives are identified for each competency. Learning objectives provide consistent, common language and a framework for curriculum designers, the curriculum approval process, and testing.

"Letter of exemption" means a letter provided during the calendar year 2015 which exempts CRSB staff from the seventy-five hours of training as required by Initiative 1163 for staff hired prior to January 1, 2016.

"Long term care worker (LTCW)" includes all persons providing paid, personal care services for the elderly or persons with disabilities, including individual providers of home care services, direct care employees of home care agencies, providers of home care services to persons with developmental disabilities under Title 71A RCW, all direct care workers in state-licensed assisted living facilities, adult family homes, respite care providers, community residential service providers, and any other direct care staff providing home or community-based services to the elderly or persons with functional disabilities or developmental disabilities.

The following persons are not long-term care workers:

(1) Persons who are:

(a) Providing personal care services to individuals who are not receiving state-funded services; and

(b) The person is not employed by an agency or facility that is licensed by the state.

(2) Persons employed by:

(a) Nursing homes licensed under chapter 18.51 RCW;

(b) Facilities certified under 42 C.F.R. Part 483;

(c) Residential habilitation centers under chapter 71A.20 RCW;

(d) Hospitals or other acute care settings;

(e) Hospice agencies licensed under chapter 70.127 RCW;

(f) Adult day care centers or adult day health centers.

(3) Persons whose services are exclusively limited to assistance with "instrumental activities of daily living," as that term is defined in WAC 388-106-0010.

"Mental health specialist" has the same meaning as defined in WAC 388-865-0200.

"Peer coach" means a person who has been trained in twelve hours of coaching skills and who works with new employees to coach them on working with individuals and their support needs. This coaching is a method of transferring knowledge about the individual to the new employee while building a positive relationship with the new employee and encouraging a positive relationship between the new employee and the individual they support.

"Personal care services" means physical or verbal assistance with activities of daily living, and instrumental activities of daily living which is provided to meet an individual's support needs.

"Population specific" refers to topics such as developmental disabilities, autism, and gerontology that are applicable to a group of people.

"Provider" means any person or entity who is contracted by the department to operate a community residential service business, or certified by the department to provide instruction and support services to meet the needs of persons receiving services under Title 71A RCW.

"Revised fundamentals of care" (RFOC) refers to the basic training curriculum provided by trainers under AL TSA.

"Routine interaction" means contact with an individual that happens regularly.

"Support team" means the individual and persons involved in his or her care. The support team may include family, friends, doctors, nurses, LTCWs, social workers and vocational vendors. The role of the support team is to support the well-being of the individual; however, the individual directs the service plan when able.

"Training entity" means an organization, including an independent contractor, who is providing or may provide training under this section using approved curriculum. Training entities must only deliver DSHS approved curriculum to CRSB staff.

NEW SECTION

WAC 388-829-0015 What are the training certification requirements for LTCWs in a CRSB and volunteers? The following chart provides a summary of the training and certification requirements. The remainder of the rules under this chapter contains a more detailed description of the requirements.

Who	Agency orientation	LTCW orientation and safety	DDA residential services curriculum	Peer coaching and/or population specific and/or specialty training	Seventy-five hour certificate	Specialty training	Continuing education	HCA-C
A LTCW who was employed between January 1, 2015 and January 1, 2016 with continuous employment from date of hire to 1/1/2016 and has completed the basic training requirements in effect on the hire date, with exemption letter .				R peer coaching			R	
A LTCW who was employed between Jan 1, 2015 and January 1, 2016 with continuous employment from date of hire to 1/1/2016 and has started the basic training requirements in effect on the hire date transferring to a different agency , with exemption letter .	R			R peer coaching		*	R	
Employed in CRSB hired on or after January 1, 2016 and meets definition of LTCW in WAC 388-829-0005.		R	R	R	R		R	

Who	Agency orientation	LTCW orientation and safety	DDA residential services curriculum	Peer coaching and/or population specific and/or specialty training	Seventy-five hour certificate	Specialty training	Continuing education	HCA-C
Employed in CRSB and begins to work for a new agency or moves from an assisted living agency or adult family home, meets the definition of a LTCW and has a HCA-certificate .	R					*	R	R
LTCW with a letter of exemption dated for 2015 with: An intermittent break in service after 1/1/16 of less than three continuous years' time; Uncompleted CEs (<i>has option to complete all delinquent CE's prior to most recent date of hire within three years of termination of last employment</i>)		R	R*	R	R		R	
LTCW with a letter of exemption dated between 1/12012 and 12/31/2015.							R	
An unpaid person providing direct care (volunteer).		R		R	N/A			
Registered nurses, licensed practical nurses, nurse technicians, or advanced registered nurse practitioner under chapter 18.79 RCW; Nursing assistants-certified under chapter 18.88 ARCW; A home health aide who is employed by a medicare-certified home health agency and has met the requirements of 42 C.F.R., Part 483.35; and An individual with special education training and an endorsement granted by the superintendent of public instruction as described in RCW 28A.300.010.	R*					R*	R	

Key: R means required; blank means not required; * Means see WAC text for information.

Note: Other trainings that may be required and not considered to be part of the seventy-five hour certificate are not listed in tables above. Includes but is not limited to nurse delegation WAC 388-101-3375.

NEW SECTION

WAC 388-829-0025 When do the training requirements go into effect? (1) The LTCW training requirements described in this chapter go into effect January 1, 2016.

(2) The LTCW training requirements that were in effect on or before December 31, 2015, apply to those individuals who:

- (a) Were hired on or before December 31, 2015; and
- (b) Complete(d) training requirements in existing rules at time of hire by February 29, 2016.

NEW SECTION

WAC 388-829-0030 Who is exempt from the CRSB seventy-five hours of training requirements? Exempt individuals as of January 1, 2016, include:

(1) Staff hired January 1, 2015, through December 31, 2015, with no break in service to January 1, 2016, and hold a letter of exemption. Letters of exemption are portable from agency to agency:

(a) For staff with continuous employment; and

(b) For staff with intermittent work over a three year period who have completed their annual continuing education credits; or

(c) For staff who made up the twelve hours of continuing education prior to their date of hire and are current with all required CE credits.

(2) The HCA-C replaces the requirements for the training under the seventy-five hour certificate.

(a) Staff holding a HCA-C must complete agency orientation and individual specific training.

(b) Staff who obtained an HCA-C and took training other than the residential services curriculum prior to January 1, 2016, must also take the eighteen hour DDA specialty training unless they hold a certificate for this training.

(3) A home health aide who is employed by a medicare-certified home health agency and has met the requirements of 42 C.F.R., Part 483.35.

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

(5) Registered nurses, licensed practical nurses, nurse technicians, or advanced registered nurse practitioner under chapter 18.79 RCW; Nursing assistants-certified under chapter 18.88A RCW.

SECTION II - SEVENTY-FIVE HOUR CERTIFICATE

NEW SECTION

WAC 388-829-0040 What is the seventy-five hour certificate? The seventy-five hour certificate is a combination of trainings and certifications that when complete add up to seventy-five hours. The certificate covers:

(1) Five hour LTCW orientation and safety (Section III);

(2) Forty hour residential services curriculum (Section IV); and

(3) Thirty hours peer coaching, specialty training, population specific training, CPR and blood borne pathogens/HIV training.

NEW SECTION

WAC 388-829-0045 Who must complete the seventy-five hour basic training? The following people must complete the seventy-five hours of training as described:

- (1) Non exempt employees hired as a new employee to work for CRSB agencies as a LTCW.
- (2) Anyone who wants to complete the home care aid certification process.

SECTION III - ORIENTATION AND SAFETY

NEW SECTION

WAC 388-829-0050 What is orientation training? There are two types of orientation training: LTCW orientation training and agency orientation training.

(1) **LTCW orientation.**

Orientation is two hours of DDA developed and approved training regarding the LTCW's role and the applicable terms of employment as described in WAC 388-829-0055. DDA's curriculum is the only approved LTCW training for CRSB. There is no test for this training.

(2) **Agency orientation.**

Agency orientation is of varied length and provides basic introductory information appropriate to the residential care setting and population served and covers agency specific information. The department does not approve this specific orientation program, materials, or trainers, and there is no test for this orientation.

This orientation must include:

- (a) Current individual instruction and support plans of each client with whom the employee works;
- (b) Emergency procedures for clients;
- (c) The reporting requirements for abuse and neglect under chapter 74.34 RCW; and
- (d) Client confidentiality.

NEW SECTION

WAC 388-829-0055 What content must be included in LTCW orientation? For those individuals working in a CRSB:

(1) LTCW orientation must be taught by an approved trainer and follow the DDA approved two hour orientation curriculum which includes the following topics:

- (a) The care setting and the agency mission;

- (b) The characteristics and special needs of the population served;
 - (c) Fire and life safety, including:
 - (i) Emergency communication (including phone system if one exists);
 - (ii) Evacuation planning (including fire alarms and fire extinguishers);
 - (iii) Ways to handle individual injuries, falls or other accidents; and
 - (iv) Potential risks to individuals or staff (for instance, aggressive individual behaviors and how to handle them)
 - (d) The location of home policies and procedures.
 - (e) Communication skills and information, including:
 - (i) Methods for supporting effective communication among the individual/guardian/family, staff, and DDA staff;
 - (ii) Use of verbal and nonverbal communication; and
 - (iii) Review of written communication and/or documentation required for the job, including the individual's ISP.
 - (f) Expectations about communication with other direct support staff;
 - (g) Whom to contact about problems and concerns.
 - (h) Proper body mechanics;
 - (i) What staff should do if they are ill;
 - (j) Individual rights, including:
 - (i) The individual's right to confidentiality of information about the individual;
 - (ii) The individual's right to participate in making decisions about the individual's care, and to refuse care;
 - (iii) Staff's duty to protect and promote the rights of each individual, and assist the individual to exercise his or her rights;
 - (iv) How and to whom staff should report any concerns they may have about an individual's decision concerning the individual's care;
 - (v) Staff's duty to report any suspected abuse, abandonment, neglect, or exploitation of an individual;
 - (vi) Advocates that are available to help individuals (LTC ombudsmen, organizations);
 - (vii) Complaint lines, hot lines, and individual grievance procedures; and
 - (viii) Working in an individual's home compared to working in agency facility or adult family home.
- (2) LTCW orientation is the first part of the five hour certificate.

NEW SECTION

WAC 388-829-0060 Who must take LTCW orientation? All staff must take LTCW orientation prior to working with clients when:

- (1) People hired to work in a CRSB who do not have a valid seventy-five hour certificate; or
- (2) LTCWs who were exempt in 2012 or 2015 with a break in service of three or more years will be treated as a new hire and will require the full seventy-five hours of training; and
- (3) Volunteers who will have indirect supervision during direct support duties.

NEW SECTION

WAC 388-829-0065 What content must be included in the agency orientation for LTCWs who begin working for a new agency? The purpose of this training is to orient the staff to the agency. Some topics of agency orientation may be covered in LTCW orientation but due to individual support needs, must be trained outside of LTCW orientation.

Agency orientation must include but is not limited to:

- (1) The setting and the agency mission;
- (2) The characteristics and special needs of the population served;
- (3) Fire and life safety, including:
 - (a) Emergency communication (including phone system if one exists);
 - (b) Evacuation planning (including fire alarms and fire extinguishers);
 - (c) Ways to handle individuals' injuries, falls and other accidents; and
 - (d) Potential risks to individuals or staff (for instance, aggressive individual behaviors and how to handle them);
- (4) The location of policies and procedures;
- (5) Communication skills and information, including:
 - (a) Methods for supporting effective communication among the individual/guardian/family, staff, and DDA staff;
 - (b) Use of verbal and nonverbal communication; and
 - (c) Review of written communications and/or documentation required for the job, including the individual's IISP;
- (6) Expectations about communication with other home staff;
- (7) Whom to contact about problems and concerns;
- (8) Rules for working in someone's home as opposed to agency facility; and
- (9) Respect for individual's property including their food, home, water, electricity or anything paid for out of the individual's account.

NEW SECTION

WAC 388-829-0070 Who must take a particular agency's orientation? Staff who have never worked for a particular agency or who have not worked for the agency for more than one year must complete the agency orientation.

NEW SECTION

WAC 388-829-0075 What is safety training, who must complete it and when must it be completed? Safety training is part of the LTCW requirements and must be provided by approved instructors. It is three hours of training developed by DDA and includes basic safety precautions, emergency procedures, and infection control. There is no test for safety training.

NEW SECTION

WAC 388-829-0077 Who must take agency orientation? The following individuals must complete safety training before providing care under indirect supervision:

- (1) All nonexempt LTCWs hired after December 31, 2015, who do not currently hold a safety certificate as described in RCW 18.88B.041.
- (2) Volunteers who will have direct support duties.

NEW SECTION

WAC 388-829-0080 What content must be included in safety training? Safety training must include:

- (1) Safety planning and accident prevention, including but not limited to:
 - (a) Proper body mechanics;
 - (b) Fall prevention;
 - (c) Fire safety;
 - (d) In home hazards;
 - (e) LTCW safety; and
 - (f) Emergency and disaster preparedness.
- (2) Standard precautions and infection control, including but not limited to:
 - (a) Proper hand washing;
 - (b) When to wear gloves and how to correctly put them on and take them off;
 - (c) Basic methods to stop the spread of infection;
 - (d) Protection from exposure to blood and other body fluids;
 - (e) Appropriate disposal of contaminated/hazardous articles;
 - (f) Reporting exposure to contaminated articles; and
 - (g) What to do when the worker or the individual is sick or injured, including to whom to report illness or injury.
 - (h) Safe food handling information must be provided to all staff, prior to handling food for individuals.

LTCWs who complete a DSHS-approved safety training meet the four hours of AIDS education as required by the department of health in WAC 246-980-040.

- (3) Basic emergency policies and procedures, including but not limited to:
 - (a) Medical emergencies;
 - (b) Response to fire;
 - (c) Natural disasters or other community emergencies;
 - (d) Location of any advance directives if available;
 - (e) Missing individuals;
 - (f) Unmanageable individual behavior; and
 - (g) Individuals involved with law enforcement.

SECTION IV - BASIC TRAINING

NEW SECTION

WAC 388-829-0100 What is basic training? (1) Basic training totals seventy hours of training: Basic training is made up of two components; the forty hour residential training and thirty hours of additional topics as defined by subsection (1)(b) of this section.

(a) DDA residential training - forty hours.

(i) The core competencies and skills that LTCWs need in order to provide services effectively and safely;

(ii) Practice and demonstration of skills;

(iii) DD history;

(iv) Positive behavior support plan;

(v) Residential guidelines;

(vi) Individual instruction and support plan (IISP);

(vii) Effective communication:

(A) Between staff;

(B) With family; and

(C) With individuals;

(viii) Nutrition and dietary guidelines;

(ix) Healthcare/ health management;

(x) Medication management;

(xi) Abuse and neglect;

(xii) Confidentiality;

(xiii) Emergency procedures;

(xiv) Staff roles, self-care, boundaries; and

(xv) Grief and loss.

(b) Additional topics - thirty hours.

(i) Peer coaching as defined in RCW 74.39A.331 for on the job training.

(ii) Population specific if appropriate.

(iii) Individual specific.

(2) The core competencies requirement for DDA must be met by completing:

(a) The DDA developed forty-hour residential training; **or**

(b) The DSHS approved RFOC (or the approved curriculum by DSHS) **and** the eighteen hour DD specialty training.

(3) Additional training will be required:

(a) Individual specific training; and

(b) If changing agencies, the agency orientation;

(4) The LTCW must be able to ask the instructor questions during the training.

(5) There is no challenge test for subsection (2)(a) or (b).

NEW SECTION

WAC 388-829-0105 What topics must be taught in the core competencies of basic training for LTCWs? Basic training for LTCWs in a CRSB must include the DDA forty hour residential training. Competencies within this DSHS/DDA approved curriculum includes but is not limited to:

- (1) Fall prevention;
- (2) Food preparation and handling;
- (3) Communication skills;
- (5) Individual rights and maintaining dignity;
- (6) Abuse, abandonment, neglect, financial exploitation and mandatory reporting;
- (7) Individual directed care;
- (8) Cultural sensitivity;
- (9) Body mechanics;
- (10) Infection control, blood borne pathogens, HIV/AIDS
- (11) Skin and body care;
- (12) LTCW roles and boundaries;
- (13) Supporting activities of daily living;
- (14) Medication assistance;
- (15) LTCW self-care;
- (16) Problem solving;
- (17) Grief and loss; and
- (18) Building positive relationships.

NEW SECTION

WAC 388-829-0115 What documentation is required to show completion of the seventy-five hour training? (1) LTCW training must be documented by the following:

- (a) Agency orientation, LTCW orientation and safety:
 - (i) The training and documentation must be issued by the service provider familiar with the agency. Proof must be documented with:
 - (A) Original sign in sheets, dated with name of training and instructor; or
 - (B) Original check lists used to ensure all training was completed; or
 - (C) Personnel records that provide proof of completion.
 - (ii) If certificates are used for agency orientation, LTCW orientation and safety the certificates must have:
 - (A) The name of the student;
 - (B) The name of the training;
 - (C) The number of hours of the training;
 - (D) The name of the training entity giving the training;
 - (E) The instructor's name, printed and signature;
 - (F) The training completion date;
 - (G) The student's date of hire; and
 - (H) The date(s) of the training.
- (b) Basic training:
 - (i) Documentation for basic training is the same as subsection (1)(a)(i) in this section.

(ii) Certificates for basic training must include all of subsection (1)(a)(ii) in this section and the name and identification number of the basic training instructor.

(c) Agency training for the thirty hours of training: Documentation of the thirty hours is a certificate developed by DDA showing all of the requirements were completed for this training. Documentation must include but is not limited to:

(i) Training checklists signed by a supervisor or an approved peer coach and the trainee;

(ii) Other certificates from department approved population specific training; and

(iii) Other certificates from department specialty training.

(d) Seventy-five hour certificate:

(i) A single seventy-five hour training certificate may be issued by a training entity, in lieu of individual certificates if that training entity was wholly responsible for providing all seventy-five of the training hours.

(ii) The last training entity responsible for providing instruction to a LTCW will be responsible for providing the seventy-five hour certificate.

(iii) The last training entity must see the other documents if they were provided by a training program, community instructor or other entity outside of the agency where the staff is currently employed:

(A) The seventy-five hour certificate template was developed by DDA and no other form may be used.

(B) The certificate must be an original.

(C) The issuer of the seventy-five hour certificate must maintain a copy of the seventy-five hour certificate and all supporting documents for six years from the date of issue.

(D) Issuer of the certificate must be approved by the department.

(iv) The LTCW must be given the original seventy-five hour certificate(s) for proof of completion of the training and retain for their own records.

(v) To take the HCA-C exam using the DDA seventy-five hour certificate, the certificate must indicate:

(A) DDA residential curriculum ready for home care aide certificate, or

(B) DDA residential curriculum AND a certificate for residential services curriculum chapter on skills training separately, or

(C) DDA residential curriculum and a CE certificate for residential services curriculum chapter on skills training taken within the first two years of hire and before the end of two years of employment in the field.

(2) LTCWs who are exempt from the seventy-five hours of training, hired prior to January 1, 2016, and not in a different professional exemption category, must have a letter of exemption indicating their training for the year of 2015 is current and met the requirements of working for the CRSB in lieu of a certificate.

(a) Letters of exemption must include:

(i) Name of the agency;

(ii) Name of the staff;

(iii) Date of hire;

(iv) Language regarding completion of current training requirements in 2015;

(v) Date of termination if appropriate;

(vi) Signature and printed name of agency administrator; and

(vii) Date letter was signed.

(b) Letters of exemption expire when the staff does not work in the field for three years.

(c) Letters of exemption expire when staff who work intermittently do not maintain the twelve CEs required annually.

(i) Intermittent workers may complete the CE requirements (twelve per year) prior to hire and continue to use their exemption letter.

(ii) Intermittent workers who do not complete their CE requirements over a three year span forfeit their letter of exemption.

(iii) Staff who forfeit their letter of exemption must start training as a new hire and complete all seventy-five hours of training.

A copy of the exemption letter must remain in the personnel file for six years. The original letter is the responsibility of the staff.

NEW SECTION

WAC 388-829-0120 How long are the training certificates valid?

Basic training, LTCW orientation, and safety training certificates remain valid as long as the staff maintains their twelve hours of CE annually. Certificates are portable from one agency to another.

For the purpose of becoming a HCA-C, the seventy-five hour certificates expire after two years. If CRSB staff choose to take the HCA-C exams for certification; their seventy-five hour certificate must meet the DOH requirements as outlined in WAC 246-980-060. Costs incurred for the testing and certification are the sole responsibility of the staff person taking them.

NEW SECTION

WAC 388-829-0130 Who is required to complete basic training, and

when? The following individuals must complete basic training requirements:

(1) LTCWs in CRSB within one hundred twenty days of date of hire. Until basic training has been completed, LTCWs can only provide direct care with indirect supervision.

(2) Exempted employees hired after December 31, 2015, returning to work after a three year break in service must complete the seventy-five hours of training as if a new employee to the field.

(3) Exempted employees hired after December 31, 2015, with intermittent work must:

(a) Maintain or complete the CEs to meet the annual requirements prior to hiring date; or

(b) Must complete the seventy-five hours of training as if a new employee to the field.

(4) Volunteers who will provide direct support services with indirect supervision. Family members are not considered to be volunteers.

NEW SECTION

WAC 388-829-0140 Who may instruct basic training for a CRSB and what documentation is required by the agency and the instructor? Entities wanting to instruct staff on the DDA forty hour residential curriculum and meet the requirements of WAC 388-829-0380 must take the train the trainer course offered through DDA. Instructors may be approved through the department and will have only one instructor code. Certificates for the train the trainer course will be required as proof of taking this training and completing the course. Instructors are responsible to maintain their original certificates and may be asked to show them as proof of attendance at the train the trainer. Agencies hiring community instructors or other training programs must maintain a copy of the trainer's original certificate for their records.

NEW SECTION

WAC 388-829-0145 Who may be certified as a home care aide? (1) Staff hired after January 7, 2012, who work in a DDA group home licensed are required to obtain home care aide certification through DOH.

(2) All other CRSB staff are required to meet the training requirements of this chapter, but are exempt from home care aide certification through DOH.

(3) Any staff working for a CRSB who completes the seventy-five hour training described in this chapter, and the residential services training chapter may pursue certification as a home care aide through DOH.

NEW SECTION

WAC 388-829-0150 What documentation is required for a LTCW to apply for the home care aide certification or recertification? DOH is solely responsible for the certification and recertification of home care aides. Please see WAC 246-980-080 and 090 for rules regarding certification.

SECTION V - POPULATION-SPECIFIC

NEW SECTION

WAC 388-829-0160 What is the population specific training component of basic training? (1) The DDA forty hour residential curriculum required for all CRSB staff hired on or after January 1, 2016, includes DD population specific information.

(2) Staff trained using the DDA forty hour residential curriculum are not required to take the eighteen hour DD specialty training course.

(3) Staff may take any approved population specific training as long as it applies to the individuals being supported.

SECTION VI - SPECIALTY TRAINING

NEW SECTION

WAC 388-829-0200 What is specialty training? Specialty or "special needs" training provides instruction in care giving skills that meet the special needs of people living with mental illness, dementia, or developmental disabilities. Specialty trainings are different for each population served and are not interchangeable. Specialty training may be integrated with basic training if the complete content of each training is included. DSHS must approve specialty training curricula for LTCWs.

Specialty training includes:

(1) Mental health training;

(2) Dementia training;

(3) Eighteen hour DD specialty training; and

(4) Other specialty training as identified as required by the population being supported.

NEW SECTION

WAC 388-829-0205 Who is required to take specialty training?

(1) Specialty training requirements are described in WAC 388-112-0110.

(2) Staff with a current HCA-C hired by a CRSB on or after January 1, 2016 must complete the eighteen hour DD specialty training or DDA forty hour residential curriculum within ninety days of working with individuals unless;

(a) They provide proof of prior completion of this training or

(b) Have taken the DDA forty hour residential curriculum training.

SECTION VII - NURSE DELEGATION CORE TRAINING

NEW SECTION

WAC 388-829-0210 What is nurse delegation core training? Nurse delegation training is coursework regarding assisting a person with support needs in the area of taking medications and other delegated tasks. Nurse delegation core training is required before a nursing assistant certified or nursing assistant registered or certified home care aide can be delegated a nursing task. DSHS approves instructors for nurse delegation core training.

Nurse delegation training is not approved for use under the seventy-five hour certificate but may be used for CE following the first one hundred twenty days of employment. Nurse delegation is described in WAC 388-112-0170 through 388-112-0197.

SECTION VIII - CONTINUING EDUCATION

NEW SECTION

WAC 388-829-0220 What is CE? (1) CE is annual training designed to increase a direct support professional staff's knowledge and skills. DSHS must approve CE curricula and instructors. The same CE course cannot be repeated for credit unless it is a new or more advanced training on the same topic. The exceptions to this are:

- (a) Blood-borne pathogens;
- (b) CPR training;
- (c) First aid training;
- (d) Food handling training (thirty minutes allowed); and
- (e) When the agency can demonstrate a need for retraining.

(2) Nurse delegation core and nurse delegation specialized diabetes training may be used to count towards CE.

NEW SECTION

WAC 388-829-0225 Who is required to complete CE training, and how many hours of CE are required each year? Effective January 1, 2016, CRSB staff who provide direct support must complete twelve hours

of CE per calendar year. Training must be taken from a DSHS approved instructor with DSHS approved curriculum.

NEW SECTION

WAC 388-829-0226 Can a CRSB employee receive CE credit for training approved by another state agency? CRSB staff may complete their CE by taking any class with curriculum approved through DSHS.

NEW SECTION

WAC 388-829-0230 When must a LTCW complete CE? (1) Effective January 1, 2016, all LTCWs who work for a CRSB must complete twelve hours of CE as described in WAC 388-829-0220 by the end of each calendar year.

(2) For CRSB staff hired on or after January 1, 2016:

(i) CEs must not be credited during the first one hundred twenty days of employment.

(ii) Staff who hold the HCA-C must follow the rules for their certification and complete CE's based on DOH rules per chapter 246-980 WAC.

NEW SECTION

WAC 388-829-0235 What topics may be covered in CE? CE must be on a topic relevant to the care needs of individuals in their support setting, or LTCW career development. Trainers and curricula must be DSHS approved. Topics or courses may include but are not limited to:

(1) Individual rights, such as freedom from abuse, neglect, abandonment and financial exploitation;

(2) Personal support/care services;

(3) Mental illness;

(4) Dementia;

(5) Developmental disabilities;

(6) Depression;

(7) Medication assistance;

(8) Communication skills;

(9) Positive individual behavior support;

(10) Developing or improving individual centered activities;

(11) Dealing with wandering or aggressive individual behaviors;

(12) Medical conditions;

(13) Staff career development;

(14) Safe food handling;

(15) CPR and first aid;

(16) Nurse delegation core training; or

(17) Nurse delegation specialized diabetes.

NEW SECTION

WAC 388-829-0240 Can specialty training be used to meet CE requirements? Specialty training, except if completed through a challenge test, may be used to meet CE requirements.

(1) When hours from a specialty training are counted toward basic training requirements, the hours may not be counted toward CE.

(2) Additional hours not used to meet the basic training requirement may be applied toward the CE requirement.

(3) Eighteen hour DD specialty training taken separately from the forty hour curriculum may be used as CEs. Twelve hours count towards the current year and six hours may be carried over to the following year for this training only.

NEW SECTION

WAC 388-829-0245 What are the documentation requirements for CE? The training entity must maintain written documentation of department approved CE for six years:

(1) Training provided by a DSHS approved agency or community instructor. Original or electronic copy of sign-in sheets with the name of the instructor, training and date.

(2) Training curriculum approval form/letter from DDA or ALTSA.

(3) Trainer approval form/letter from DDA or ALTSA.

NEW SECTION

WAC 388-829-0246 What information must be on certificates for CE? Certificates must contain the following information:

(1) Name of the student;

(2) Title of the training;

(3) Number of hours of the training;

(4) Assigned curriculum approval code;

(5) Instructor's name, printed and signature;

(6) Printed name of the training entity giving the training;

(7) Entity program code; and

(8) Date(s) of training.

NEW SECTION

WAC 388-829-0250 What is cardiopulmonary resuscitation (CPR) training? When is CPR training required? CPR is an emergency procedure performed in an effort to manually preserve intact brain function until further measures are taken to restore spontaneous blood circulation and breathing in a person who is in cardiac arrest. CPR training must be provided by an authorized CPR instructor. Trainees must successfully complete the CPR course and receive a certificate.

CPR is required to be taken within the first sixty days of hire.

SECTION IX - CURRICULUM APPROVAL

NEW SECTION

WAC 388-829-0300 Which trainings require department approval of the curriculum and instructor? (1) The department must preapprove the curriculum and instructors for all LTCW orientation, safety, basic, and CE taught as part of the requirements of this chapter.

(2) CRSB training entities must use only the DSHS curriculum for the following;

- (a) Nurse delegation core and diabetes training;
- (b) DDA LTCW orientation and safety (five hours);
- (c) DDA residential services training (forty hours); and
- (d) DDA peer coaching defined in RCW 74.39A.331 as peer mentoring (varied time length).

(3) Approval for all other trainings will be based on curriculum review, as described in WAC 388-829-0305.

NEW SECTION

WAC 388-829-0305 What must be submitted to DDA for CE curriculum approval? Application forms must be submitted at least forty five days in advance of the training date. Approvals must be dated prior to delivery of training. The following must be submitted before the curriculum will be reviewed:

(1) CE curriculum delivery models will only be lead by a DSHS approved instructor. All learners, including online learners, must have access to an approved instructor.

(a) For instructor lead curriculum, developed by the training entity submit a DDA CE approval application that includes all of the information requested on the form, and:

- (i) A summary that includes:
 - (A) The topic; and
 - (B) A description of how the training is relevant to the support setting, care needs of individuals, or LTCW career development.
- (ii) A course outline;
- (iii) The number of training hours;
- (iv) The learning objectives;
- (v) A bibliography listing resources used to develop the curriculum;

(vi) The trainee evaluation; and

(vii) The DDA trainer approval form indicating which trainer will be offering the course with attestation language completed.

- (b) For online training courses:
 - (i) Everything in subsection (1)(a) in this section; and
 - (ii) On-line course which meet the on-line standards provided at this link: <http://www.altsa.dshs.wa.gov/Professional/training/CE/OnlineCEStandards.htm>(c) For curriculum developed by a professional curriculum developer who is not the training entity:
 - (i) Everything listed in subsection (1)(a) in this section; and
 - (ii) A bill of sale or letter granting the training entity permission to use the curriculum.

Department developed curriculum does not require submission to the department for approval unless otherwise modified.

NEW SECTION

WAC 388-829-0310 What is the curriculum approval process for CE?

- (1) After review of the curriculum, DSHS will send a written response to the submitter, indicating approval or disapproval of the curriculum.
- (2) Reasons for denial will be identified and revised curriculum may be resubmitted for review.
- (3) If revised curriculum is not approved and resolution is not reached, the submitter may seek a review of the nonapproval decision from the DDA assistant secretary or designee. The assistant secretary's review decision shall be the final decision of DSHS.

XI - INSTRUCTOR APPROVAL

NEW SECTION

WAC 388-829-0350 What are the training entity's responsibilities? The training entity is responsible for:

- (1) Coordinating and teaching classes;
- (2) Assuring the curriculum used is taught as designed;
- (3) Assuring the trainer is approved for this curriculum;
- (4) Verifying the curriculum is approved and has been assigned a code;
- (5) Selecting qualified guest speakers where applicable;
- (6) Establishing a method whereby the LTCW can ask the instructor questions;
- (7) Administering or overseeing the administration of DSHS competency and challenge tests when appropriate;
- (8) Maintaining training records including LTCW attendance records for a minimum of six years;
- (9) Reporting training data to DSHS when requested by the department;

- (10) Issuing or reissuing training certificates to LTCWs; and
- (11) Maintaining documentation as stated in this chapter.

NEW SECTION

WAC 388-829-0360 Must training entities and their instructors be approved by DSHS? (1) For all DSHS contracted training entities:

(a) DDA must approve and/or contract with a training entity and their instructor(s) to conduct LTCW orientation, safety, basic, population specific, LTCW specialty, nurse delegation core and specialized diabetes training, and CE.

(b) DDA may select training entities using any applicable contracting procedures. Contractors must meet the minimum qualifications for instructors under this chapter and any additional qualifications established through the contracting procedure.

(2) Agencies conducting their own training programs using the training curricula developed by DSHS or another curricula approved by DSHS must ensure and attest that their instructors meet the minimum qualifications for instructors under this chapter.

(3) DSHS must approve all other training entities and their instructor(s) not described in subsection (1) and (2) of this section.

(a) Community instructors who contract with DSHS for CE may be utilized for CEs at CRSBs.

(b) Approved community instructors who wish to provide basic training in a CRSB must take the DDA residential services train the trainer course and notify the agency they work with of their certification.

NEW SECTION

WAC 388-829-0365 Can DSHS deny or terminate a contract or rescind approval of an instructor or training entity? (1) DSHS may deny a person or organization seeking a contract with, or approval by, DSHS to conduct training.

(2) DSHS may terminate an existing training contract in accordance with the terms of the contract. The contractor's remedies shall be limited to those specified in the contract.

(3) DSHS may terminate an existing training approval of a person or entity to conduct training.

NEW SECTION

WAC 388-829-0370 What is a guest speaker, and what are the minimum qualifications to be a guest speaker? (1) A guest speaker is a person selected by an approved instructor to teach a specific topic. A guest speaker:

- (a) Must have demonstrated background and expertise on the topic;
- (b) Must not teach the entire course;

- (c) Must not supplant the primary teaching responsibilities of the primary instructor; and
- (d) Must cover the DSHS competencies and learning objectives for the topic he or she is teaching.
- (2) The approved instructor:
 - (a) Must select guest speakers based on the guest speaker's knowledge and experience in the specific topic;
 - (b) Maintain documentation of the guest speaker's qualifications and/or experience;
 - (c) Supervise and monitor the guest speaker's performance in person to ensure required content is taught; and
 - (d) Signs and provides the CE certificate.
- (3) DSHS does not approve guest speakers.

NEW SECTION

WAC 388-829-0380 What are the minimum qualifications for an instructor for basic, and population specific training? An instructor for basic and population specific training must meet the following minimum qualifications:

- (1) Twenty-one years of age or older;
- (2) Has not had a professional health care, CRSB, agency, or social services license or certification revoked in Washington state; and
- (3) Has the following education and work experience upon initial approval or hire:
 - (a) Have a bachelor's degree and work experience with persons with disabilities requiring long-term support in a community setting within the last five years; or
 - (b) Have an associate degree or higher degree in the field of health or human services and six months professional or support experience within the last five years in a community based setting, CRSB through DDA, or home care setting; or
 - (c) Have a high school diploma, or equivalent, and at least one year of professional or care giving experience within the last five years in a CRSB setting through DDA, or home care setting.
- (4) Has the following teaching experience:
 - (a) Must have one hundred hours of experience teaching adults in an appropriate setting on topics directly related to the basic training; or
 - (b) Must have forty hours of teaching while being mentored by an instructor who meets these qualifications, and must attend a class on adult education which includes content, student practice, and evaluation of student skills by the instructor in:
 - (1) Adult education theory and practice principles;
 - (2) Instructor facilitation techniques;
 - (3) Facilitating learning activities for adults;
 - (4) Working with adults with special training needs (for example, English as a second language or learning and literacy issues); and
 - (5) The instructor must be experienced in care giving practices and capable of demonstrating competency with respect to teaching the course content or units being taught.

NEW SECTION

WAC 388-829-0385 What are the minimum qualifications for an instructor for agency orientation, LTCW orientation, safety, and CE? An instructor for LTCW orientation, safety, and CE must have specific knowledge, training, and work experience in the provision of direct, personal support or other relevant services to persons with disabilities requiring long-term support.

NEW SECTION

WAC 388-829-0390 What are the minimum qualifications for instructors for LTCW mental health specialty training? The minimum qualifications for instructors for long term-care worker mental health specialty are defined in WAC 388-112-0385.

NEW SECTION

WAC 388-829-0395 What are the minimum qualifications for instructors for LTCW dementia specialty? The minimum qualifications for instructors for long term-care worker dementia specialty are defined in WAC 388-112-0390.

NEW SECTION

WAC 388-829-0400 What are the minimum qualifications for instructors for LTCW developmental disabilities specialty? The minimum qualifications for instructors for long term-care worker developmental disabilities specialty are defined in WAC 388-112-0395.

SECTION XII - PHYSICAL RESOURCES AND STANDARD PRACTICES FOR TRAINING

NEW SECTION

WAC 388-829-0420 What physical resources are required for classroom training and testing? Classroom facilities and sites must be accessible to students and provide adequate space for learning activities, comfort, lighting, lack of disturbance, and tools for effective

teaching and learning. Appropriate supplies and equipment must be provided for teaching and practice of skills in the class being taught.

NEW SECTION

WAC 388-829-0425 What standard training practices must be maintained for classroom training and testing? The following training standards must be maintained for classroom training and testing:

(1) Training must not exceed eight hours within one day not including breaks and meals;

(2) Training provided in short time segments must include an entire unit, skill or concept;

(3) Training must include regular breaks; and

(4) LTCWs attending a classroom training must attend the entirety of the training to receive credit.