



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Aging and Long-Term Support Administration
PO Box 45600, Olympia, Washington 98504-5600

April 13, 2018

AL TSA: NH #2018-008

CLARIFICATION: RN HOURS FOR MEETING 24 HOUR RN STAFFING REQUIREMENT

Dear Nursing Facility/Home Administrator:

The purpose of this letter is to clarify which RN hours can be included toward meeting the 24/7 RN staffing requirement, as a part of the Washington State nursing facility licensing regulations.

As background, in 2015, Substitute House Bill (SHB) 1274 passed in to law and outlined the requirement that all large, nonessential nursing homes (NHs) will have 24-hour RN coverage. A large, nonessential NH includes any home that is less than 40 minutes away from another NH and has more than 60 licensed beds (regardless of how many beds are currently in use). The corresponding rule is found in WAC 388-97-1080, Nursing Services and WAC 388-97-0001.

In 2016, SHB 2678 became law and added exceptions to the RN staffing requirements. The exception process was outlined in a letter to providers, Dear NH Administrator – AL TSA: NH #2016-023, "Exception to 24 Hour RN Staffing Requirement."

WAC 388-97-1080(3) requires, "Large nonessential community providers must have a registered nurse on duty directly supervising resident care twenty-four hours per day, seven days per week."

WAC 388-97-0001, defines "Directly supervising" to mean "the individual responsible for providing oversight to staff is on the premises and quickly and easily available to provide necessary assessments and other direct care of residents."

In addition to RNs directly providing care, the hours worked by RNs providing oversight or direct supervision of care (nurse managers, for example) **can be included** as part of the 24 hour RN staffing requirement provided they meet the definition of "directly supervising."

If you have any questions, please contact Lisa Herke, Nursing Home Policy Unit Manager, at 509-225-2819 or lisa.herke@dshs.wa.gov.

Sincerely,

A handwritten signature in black ink that reads "Candace Goehring".

Candace Goehring, Director
Residential Care Services

"Transforming Lives"