



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

August 28, 2020

AL TSA: NH #2020-063
CR-103E FILED TO EXTEND EMERGENCY RULES AMENDING NURSING HOME
REQUIREMENTS AND CR-101 FILED TO CONSIDER PERMANENTLY AMENDING THE
RULES FOR PHYSICIAN SERVICES

Dear Nursing Facility/Home Administrator:

Residential Care Services (RCS) filed an emergency rule ([WSR 20-10-034](#)) effective April 28, 2020, related to physician services. The rule was amended in response to the significant threat of COVID-19. The rule expired on August 26, 2020.

On August 26, 2020, RCS filed a CR-103E ([WSR 20-18-022](#)) to extend the amended rule. The extension was effective August 26, 2020 and the rule expires on December 24, 2020.

WAC 388-97-1260 was amended to permit the physician to delegate tasks to a registered nurse practitioner or a physician assistant, even if it is required to be performed by the physician in regulation and regardless of the frequency of the delegation. The amendment does not change the required frequency of physician/delegate visits, or the requirement for the physician to supervise the delegate. The delegate must only perform tasks within the scope of practice of their credential.

The adoption of the rule helps to align the state rule with rules the Centers for Medicare and Medicaid Services (CMS) has waived or amended in response to the COVID-19 pandemic.

Additionally, RCS filed a CR-101 (WSR 20-17-133) on August 18, 2020 to begin permanent rule making on WAC 388-97-1260 and other related rules. The CR-101 document is available on Aging and Long Term Support Administration's (AL TSA) [Information for Nursing Home Professionals](#) web page, under "NH Rule Filings".

Thank you for your continued commitment to resident health and safety. If you have any questions, including how to participate in the rule-making process, please contact Lisa Herke, Nursing Home Policy Program Manager, at (509) 209-3088 or lisa.herke@dshs.wa.gov.

Sincerely,

Candace Goehring, Director
Residential Care Services

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