



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

November 2, 2020

AL TSA: NH #2020-079

CR-103E FILED TO EXTEND EMERGENCY RULES AMENDING NURSING HOME REQUIREMENTS AND CR-101 FILED TO CONSIDER PERMANENTLY AMENDING THE RULES FOR DISASTER AND EMERGENCY PREPAREDNESS, QUALITY ASSESSMENT AND ASSURANCE, AND RESIDENT ROOMS

Dear Nursing Facility/Home Administrator:

The Department of Social and Health Services filed an emergency rule (WSR [20-14-026](#)) effective June 23, 2020 related to fire drills, windows in resident rooms and quality assurance requirements in response to the significant threat of COVID-19. The rule expired on October 21, 2020.

On October 20, 2020, RCS filed a CR-103E ([WSR 20-21-086](#)) to extend the amended rule. The extension was effective October 21, 2020 and the rule expires on February 18, 2021.

- Current nursing home rules require periodic fire drills, as well as staff training about how to respond to a fire. WAC 388-97-1740 was amended to remove the requirement for periodic fire drills. Training on responding to a fire is still required.
- Amendment of WAC 388-97-1760 reduced the scope of quality assurance activities. Facilities must continue to review adverse events and infection control.
- Current nursing home rules require a transparent glass window in each resident room. Amendment of WAC 388-97-2400 waives the requirement for a transparent glass window. This will increase the ability for facilities to increase capacity temporarily by utilizing windowless space for resident rooms.

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

Additionally, RCS filed a CR-101 ([WSR 20-21-034](#)) on October 12, 2020 to begin permanent rule making on the above WACs and other related rules.

Thank you for your continued commitment to resident health and safety. If you have any questions, 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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