



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

December 9, 2020

AL TSA: NH #2020-095
CR-103E FILED TO EXTEND EMERGENCY RULES AMENDING OR SUSPENDING SOME
NURSING HOME REQUIREMENTS

Dear Nursing Facility/Home Administrator:

Residential Care Services (RCS) filed emergency rules (WSR 20-09-074) effective April 13, 2020, for some nursing home requirements. The rules were amended, suspended, or revoked in response to the significant threat of COVID-19. These rules expired on August 11, 2020.

On August 11, 2020, RCS filed a CR-103E (WSR 20-17-048) to extend the emergency rules. The extension was effective August 11, 2020 and the rules expired on December 9, 2020.

On December 7, 2020, RCS filed a CR-103E (WSR [21-01-035](#)) to extend the rules a second time. The extension was effective December 9, 2020 and the rules expire on April 6, 2021.

The following rules are amended, suspended, or temporarily repealed:

- Transfer and discharge rules: Amendment of WAC 388-97-0120 suspends the requirement to provide a bed-hold notice to a resident who leaves the facility.
- Resident assessment: Amendment of WAC 388-97-1000 removes the timeline requirements from the required resident assessment.
- Care planning: Amendment of WAC 388-97-1020 removes the requirement to develop a care plan within seven days of completion of the resident assessment.
- PASRR: WACs 388-97-1915 and 388-97-1975 were amended to permit the level I screening, and if needed, the level II evaluation to occur up to 30 days after admission.
- Resident groups: WAC 388-97-0920 ensures residents can participate in resident and family groups. The WAC was temporarily repealed.

In addition, RCS filed a CR-101 on August 5, 2020 to begin permanent rule making on the WACs named in the emergency rule making. 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". The department remains in discussions about adding language to the rules to explain the circumstances and time periods under which suspension of the rules was necessary due to COVID-19.

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

Candace Goehring, Director
Residential Care Services

DSHS: "Transforming Lives"