



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

November 5, 2021

ALTSA: NH #2021-086
**PROCLAMATION 21-15: 30-DAY EXTENSION APPROVED RELATED TO THE TRANSFER
AND DISCHARGE OF NURSING HOME RESIDENTS**

Dear Administrator:

On November 1, 2021, the leadership in the Washington State Legislature extended Proclamation 21-15 that was first issued on September 3, 2021. The proclamation waives a provision in current law so that COVID-19 positive nursing home residents may be immediately transferred or discharged by a nursing home that is unable to treat COVID-19 positive patients to facilities that are equipped to treat the disease. The extension for proclamation 21-15 has been approved for a period of 30 days.

Each statutory and regulatory provision or portion thereof as specified below is hereby waived and suspended until 11:59 p.m. on December 1, 2021:

- **RCW 74.42.450(6)** related to when a resident appeals a department decision and the time frame of 30 days after a final order is entered
- **WAC 388-97-0140(1)(c)(ii)** in its entirety, related to a skilled nursing facility/nursing facility-initiated transfer or discharge, once an appeal has been requested
- **WAC 388-97-0140(2)** in its entirety, related to when a facility must suspend a transfer or discharge pending the outcome of a hearing with the office of administrative hearings

To see the details of Proclamation 21-15, use this link:

<https://www.governor.wa.gov/sites/default/files/proclamations/21-15.2%20COVID-19%20Nursing%20Home%20Transfers%20%28tmp%29.pdf>.

Thank you for your continued commitment to resident health and safety. If you have any questions, please contact Molly McClintock, Nursing Home Policy Program Manager at (360)742-6966 or molly.mcclintock@dshs.wa.gov.

Sincerely,

Mike Anbesse, Director
Residential Care Services

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