



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Health- Nursing Care Quality Assurance Commission

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: WAC 246-841-530 through 585 establishes alternative program requirements for home care aides-certified and medical assistants-certified to meet the nursing assistant certification level of training. The rules outline the requirements for development of the program and requirements for graduates applying for nursing assistant certification.

Citation of existing rules affected by this order:

Repealed: None
Amended: None
Suspended: None

Statutory authority for adoption: 18.88A.087

Other authority : 18.88A.060

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 11-11-047 on 05/13/2011 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Terry J. West phone (360) 236-4712
Address: Department of Health, P.O. Box 47864, fax (360) 236-4738
Olympia, WA 98504 e-mail terry.west@doh.wa.gov

Date adopted: 06/21/2011

NAME (TYPE OR PRINT)
Paula R. Meyer, MSN, RN

SIGNATURE
Paula R. Meyer MSN, RN

TITLE
Executive Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 27, 2011

TIME: 3:01 PM

WSR 11-16-042

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>11</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
--	-----	----------	---------	----------	----------	----------

The number of sections adopted in the agency's own initiative:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
--	-----	----------	---------	----------	----------	----------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
--	-----	----------	---------	----------	----------	----------

The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>11</u>	Amended	<u>0</u>	Repealed	<u>0</u>

NEW SECTION

WAC 246-841-530 Alternative program--Purpose. The commission intends to establish criteria for an alternative program for home care aide-certified and medical assistant-certified that will provide continued opportunity for recruitment and career advancement in nursing, recognize relevant training, and maintain a single standard for competency.

The alternative program is intended to provide twenty-four hours of additional training, including clinical training, on topics not addressed in the specified training for certification as a home care aide or medical assistant, that will meet the requirements necessary to take the nursing assistant-certified competency evaluation.

Successful completion of an approved alternative program may allow the home care aide-certified and medical assistant-certified to meet requirements to complete a competency evaluation. Successful completion of the competency evaluation may allow an applicant who is a home care aide-certified or medical assistant-certified to become a nursing assistant-certified. The nursing assistant-certified credential may then qualify an individual for entry into a nursing program.

NEW SECTION

WAC 246-841-535 Alternative program--Definitions. The definitions in this section apply throughout WAC 246-841-530 through 246-841-585.

(1) **Home care aide-certified** means any person certified under chapter 18.88B RCW.

(2) **Medical assistant-certified** means a person certified by a medical assistant program accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or the American Association of Medical Assistants and the American Medical Association.

(3) **Nursing assistant-certified** means any person certified under chapter 18.88A RCW.

NEW SECTION

WAC 246-841-545 Home care aide-certified alternative program requirements. The commission may approve alternative programs for individuals credentialed as home care aides-certified to successfully complete in order to qualify to take the nursing assistant-certified competency evaluation.

(1) An alternative program shall:

(a) Meet the requirements of WAC 246-841-420.

(b) Have a competency based curriculum composed of learning objectives and activities. The curriculum content shall include:

(i) Measuring vital signs, height and weight, fluid and food input and output.

(ii) Developmental tasks associated with developmental and age specific processes.

(iii) Use and care of prosthetic devices.

(iv) Provision of adequate ventilation, warmth, light, and quiet for the client.

(v) Principles of good body mechanics for self and clients to lift and move clients or heavy items.

(vi) Achieving competence in reading, writing, speaking and understanding English at the level necessary to:

(A) Use terminology accepted in health care settings.

(B) Accurately record and report observations, actions and information in a timely manner.

(vii) The scope of practice of nursing assistant-certified.

(viii) The workers right to know law.

(ix) The Uniform Disciplinary Act, including RCW 18.130.180.

(c) Have a program director:

(i) Who is currently licensed as a registered nurse (RN) in good standing in the state of Washington and has a minimum of three years of experience as an RN with at least one year of experience in direct patient care; and

(ii) Who has successfully completed a training course on adult instruction or can demonstrate that he or she has one year experience teaching adults, unless the program director works exclusively in a secondary educational setting.

(A) The training course on adult instruction must provide instruction in understanding the adult learner, techniques for teaching adults, classroom methods for teaching adults and audio-visual techniques for teaching adults.

(B) Acceptable experience does not include in-service education or patient teaching.

(iii) Who has a minimum of one year experience within the past three years in caring for the elderly or chronically ill of any age or both if also acting as an instructor.

(2) The program director may select instructional staff to assist in the teaching of the course. Instructional staff must meet the following requirements:

(a) Hold a current Washington state license to practice as a registered or licensed practical nurse in good standing; and

(b) Have a minimum of one year experience within the past

three years in caring for the elderly or chronically ill of any age.

(3) Instructional staff may assist the program director in development of curricula, teaching modalities, and evaluation. The instructor must be under the supervision of the program director at all times.

(4) A guest lecturer or individual with expertise in a specific course unit may be used in the classroom setting for teaching without commission approval, following the program director's review of the currency of content. The guest lecturer, where applicable, must hold a license, certificate or registration in good standing in their field of expertise.

NEW SECTION

WAC 246-841-550 Medical assistant-certified alternative program requirements. The commission may approve alternative programs for individual medical assistant-certified to successfully complete in order to qualify to take the nursing assistant-certified competency evaluation.

(1) An alternative program shall:

(a) Submit documentation of meeting all requirements of WAC 246-841-420.

(b) Have a competency based curriculum composed of learning objectives and activities. The curriculum content shall include:

(i) Measurement of fluid and food input and output.

(ii) Participation in planning and nursing reporting process.

(iii) Bathing, oral care, and skin care.

(iv) Personal care tasks, appropriate to chronological age and developmental stage of residents.

(v) Grooming and dressing.

(vi) Toileting.

(vii) Eating and hydration, including:

(A) Techniques to prevent choking and aspiration; and

(B) Health and sanitation in food services.

(viii) Basic restorative services.

(A) Use of assistive devices in ambulation, transferring, eating and dressing.

(B) Range of motion.

(C) Turning and positioning.

(D) Transferring and ambulating.

(E) Use and care of prosthetic devices.

(ix) Client resident rights and promotion of independence.

(A) Assistance in getting to and joining in activities appropriate to chronological age of resident.

(B) Respect for client's property.

(C) Use of restraints and acknowledges agency policies that may apply to restraints.

(x) An environment with adequate ventilation, warmth, light, and quiet.

(xi) Rules and regulations, including:

(A) The scope of practice, nursing assistant-certified.

(B) The workers right to know law.

(C) The Uniform Disciplinary Act, including RCW 18.130.180.

(c) Have a program director:

(i) Who is currently licensed as a registered nurse (RN) in good standing in the state of Washington and has a minimum of three years of experience as an RN, with at least one year of experience in direct patient care.

(ii) Who has successfully completed a training course on adult instruction or can demonstrate that he or she has one year experience teaching adults unless the program director works exclusively in a secondary educational setting.

(A) The training course on adult instruction must provide instruction in understanding the adult learner, techniques for teaching adults, classroom methods for teaching adults and audio-visual techniques for teaching adults.

(B) Acceptable experience does not include in-service education or patient teaching.

(iii) Who has a minimum of one year experience within the past three years in caring for the elderly or chronically ill of any age if also acting as an instructor.

(2) The program director may select instructional staff to assist in the teaching of the course. Instructional staff must meet the following requirements:

(a) Hold a current Washington state license to practice as a registered or licensed practical nurse in good standing; and

(b) Have a minimum of one year experience within the past three years in caring for the elderly or chronically ill of any age.

(3) Instructional staff may assist the program director in development of curricula, teaching modalities, and evaluation. The instructor must be under the supervision of the program director at all times.

(4) A guest lecturer or individual with expertise in a specific course unit may be used in the classroom setting for teaching without commission approval, following the program director's review of the currency of content. The guest lecturer, where applicable, must hold a license, certificate or registration in good standing in their field of expertise.

NEW SECTION

WAC 246-841-555 Responsibilities of the program director in alternative programs. The program director of an alternative program is responsible for:

- (1) Development and use of a curriculum which:
 - (a) Meets the requirements of WAC 246-841-545; or
 - (b) Meets the requirements of WAC 246-841-550.
- (2) Ensuring compliance with the requirements of WAC 246-841-500 and 246-841-510.
- (3) Verifying home care aides-certified have a valid certification before admission to the alternative program.
- (4) Verifying medical assistants-certified have certification before admission to the alternative program.
- (5) Direct supervision of all students during clinical experience. Direct supervision means an approved program director or instructor observes students performing tasks.
- (6) Ensuring the clinical instructor has no concurrent duties during the time he or she is instructing students.
- (7) Maintaining an environment acceptable to teaching and learning.
- (8) Supervising all instructors involved in the course. This includes clinical instructors and guest lecturers.
- (9) Ensuring students are not asked to, or allowed to perform any clinical skill with patients or clients until the students have demonstrated the skill satisfactorily to an instructor in a practice setting.
- (10) Evaluating knowledge and skills of students before verifying completion of the course.
- (11) Providing students a verification of completion when requirements of the course have been satisfied.
- (12) Providing adequate time for students to complete the objectives of the course. The time may vary with skills of the learners and teaching or learning variables.
- (13) Establishing an evaluation process to assess mastery of competencies.

NEW SECTION

WAC 246-841-560 Alternative program application for approval, denial, or withdrawal. (1) An applicant for an alternative program must submit a completed application provided by the department of health. The application will include forms and instructions to submit the following:

- (a) Program objectives;
 - (b) Required curriculum and content.
- (2) The commission shall comply with WAC 246-841-430 when denying or withdrawing an approval of an alternative program.
- (3) An alternative program that has been denied or had an approval withdrawn shall have the right to a hearing to appeal the commission's decision according to the provisions of chapters 18.88A and 34.05 RCW, the Administrative Procedure Act, Parts IV and V.

NEW SECTION

WAC 246-841-570 Recordkeeping and administrative procedures for approved alternative programs. An alternative program shall comply with all the requirements in WAC 246-841-510.

NEW SECTION

WAC 246-841-573 Closure of an alternative program. Before an approved alternative program closes it shall notify the commission in writing, stating the reason and the date of intended closing.

NEW SECTION

WAC 246-841-575 Alternative program--Eligibility to complete the nursing assistant-certified competency examination. Graduates of alternative programs who meet all application requirements are deemed eligible to complete the nursing assistant-certified competency evaluation approved by the commission.

Competency evaluation means the measurement of an individual's knowledge and skills as related to safe, competent performance as a nursing assistant-certified.

NEW SECTION

WAC 246-841-578 Application requirements. To be eligible to apply for nursing assistant-certified from an alternative program the applicant must:

- (1) Be currently credentialed as a home care aide-certified;
- or
- (2) Be a medical assistant-certified as defined in WAC 246-841-535;
- (3) Have completed a cardiopulmonary resuscitation course;
- (4) Have completed seven hours of AIDS education and training as required in chapter 246-12 WAC, part 8; and

- (5) Have successfully completed the competency evaluation.

NEW SECTION

WAC 246-841-585 Application for nursing assistant-certified from an alternative program. (1) An applicant for nursing assistant-certified who has successfully completed an approved alternative program as a home care aide-certified must submit to the department:

- (a) A completed application for nursing assistant-certified.
- (b) A copy of certificate of completion from an approved alternative program for home care aides-certified.
- (c) Documentation verifying current certification as a home care aide.
- (d) Evidence of completion of a cardiopulmonary resuscitation course.
- (e) Evidence of completion of seven hours of AIDS education and training.
- (f) Applicable fees as required in WAC 246-841-990.

(2) An applicant for nursing assistant-certified who successfully completed an approved alternative program as a medical assistant-certified must submit to the department:

- (a) A completed application for nursing assistant-certified;
- (b) A copy of certificate of completion from approved alternative program for medical assistant-certified;
- (c) An official transcript from the nationally accredited medical assistant program;
- (d) Evidence of completion of an adult cardiopulmonary resuscitation course;
- (e) Evidence of completion of seven hours of AIDS education and training; and
- (f) Applicable fees as required in WAC 246-841-990.