WAC 246-980-025 Individuals exempt from obtaining a home care aide certification. (1) The following individuals are not required to obtain certification as a home care aide. If they choose to voluntarily become certified, they shall successfully pass the entry level training required by RCW 74.39A.074 and meet the requirements of WAC 246-980-040.

(a) A long-term care worker providing in-home care and caring only for a biological, step, or adoptive child or parent, including when related by marriage or domestic partnership.

(b) A long-term care worker providing in-home care and caring only for a sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(c) Through June 30, 2026, a long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States Department of Veterans Affairs home and community-based programs. Effective July 1, 2026, a long-term care worker providing approved in-home services only for a spouse or registered domestic partner is not required to be funded through the United States Department of Veterans Affairs or community-based programs.

(d) A long-term care worker providing in-home care who provides 20 hours or less of care for one person in any calendar month.

(e) An individual employed by a community residential service business.

(f) An individual employed by a residential habilitation center licensed under chapter 71A.20 RCW or a facility certified under 42 C.F.R. Part 483.

(g) A direct care worker who is not paid by the state or by a private agency or facility licensed by the state to provide personal care services.

(h) A person working as a long-term care worker providing in-home care who only provides respite services and works less than 300 hours in any calendar year.

(i) Any direct care worker exempt under RCW 18.88B.041(1).

(2) The following long-term care workers are not required to obtain certification as a home care aide. If they choose to voluntarily become certified, they must meet the requirements of WAC 246-980-040. The training requirements under RCW 74.39A.074(1) are not required.

(a) An individual who holds an active credential by the department as a:

(i) Registered nurse, a licensed practical nurse, or advanced registered nurse practitioner under chapter 18.79 RCW; or

(ii) Nursing assistant-certified under chapter 18.88A RCW.

(b) A home health aide who was employed by a medicare certified home health agency within the year before being hired as a long-term care worker and has met the requirements of 42 C.F.R. Part 484.36.

(c) A person who is in an approved training program for certified nursing assistant under chapter 18.88A RCW, provided that the training program is completed within 120 calendar days of the date of hire and that the nursing assistant-certified credential has been issued within 365 calendar days of the date of hire. This timeline is in effect for long-term care workers in this setting beginning February 6, 2025, through December 31, 2027.

(d) An individual with special education training and an endorsement granted by the superintendent of public instruction under RCW 28A.300.010 and is approved by the secretary.

(e) An individual employed as a long-term care worker on January 6, 2012, or who was employed as a long-term care worker between January 1, 2011, and January 6, 2012, and who completed all of the training requirements in effect as of the date of hire. This exemption expires if the long-term care worker has not provided care for three consecutive years.

(i) The department may require the exempt long-term care worker who was employed as a long-term care worker between January 1, 2011, and January 6, 2012, to provide proof of that employment. Proof may include a letter or similar documentation from the employer that hired the long-term care worker between January 1, 2011, and January 6, 2012, indicating the first and last day of employment, the job title, a job description, and proof of completing training requirements. Proof of training will also be accepted directly from the approved instructor or training program, if applicable.

(ii) For an individual provider reimbursed by the department of social and health services, the department will accept verification from the department of social and health services or the training partnership.

(3) Long-term care workers who are exempt from obtaining a home care aide certification may be required to complete minimum training requirements under RCW 74.39A.074 or 74.39A.076.

[Statutory Authority: RCW 18.88B.021, 18.88B.022, 18.88B.035, 18.88B.041, 18.88B.060, 2025 c 18, and 2025 c 341. WSR 26-12-065, s 246-980-025, filed 6/2/26, effective 7/3/26. Statutory Authority: RCW 18.88B.041, 18.88B.060, 43.70.280, and 2024 c 322. WSR 25-15-128, s 246-980-025, filed 7/21/25, effective 8/21/25. Statutory Authority: RCW 18.88B.021, 18.88B.031, 18.88B.041, and 18.88B.060. WSR 24-15-025, § 246-980-025, filed 7/9/24, effective 8/9/24. Statutory Authority: RCW 18.88B.021. WSR 18-20-072, § 246-980-025, filed 9/28/18, effective 10/29/18.]