

# HOUSE BILL REPORT

## SB 5672

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### As Passed House - Amended:

April 14, 2025

**Title:** An act relating to delaying the home care aide certification requirements.

**Brief Description:** Delaying the home care aide certification requirements.

**Sponsors:** Senators Muzzall, Cleveland, Chapman, Dozier and Nobles.

### Brief History:

#### Committee Activity:

Health Care & Wellness: 3/19/25, 3/26/25 [DP].

#### Floor Activity:

Passed House: 4/14/25, 96-0.

#### Brief Summary of Bill (As Amended by House)

- Directs the Department of Health (Department) to adopt rules to provide long-term care workers additional time to become certified as home care aides, beyond the 200-day standard.
- Allows long-term care workers additional time to receive a home care certification if they meet criteria established by the Department.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 18 members: Representatives Bronoske, Chair; Lekanoff, Vice Chair; Rule, Vice Chair; Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Marshall, Assistant Ranking Minority Member; Davis, Low, Macri, Manjarrez, Obras, Parshley, Shavers, Simmons, Stonier, Stuebe, Thai and Tharinger.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Chris Blake (786-7392).

**Background:**

A long-term care worker is any person who provides paid, hands-on personal care services for older persons or persons with disabilities. The term includes individual providers of home care services, direct care workers employed by home care agencies, providers of home care services to people with developmental disabilities, respite care providers, and direct care workers in assisted living facilities and adult family homes. The term excludes employees of several types of health care and residential care facilities, as well as care providers not paid by the state or a private agency or facility licensed by the state.

Long-term care workers must become certified as home care aides by the Department of Health (DOH) unless an exemption applies. To become certified, a long-term care worker must complete 75 hours of training, pass a certification examination, and pass state and federal background checks. The long-term care worker must be certified as a home care aide within 200 calendar days of the date of employment.

The Office of the State Auditor (Auditor) is responsible for conducting performance audits of the long-term in-home care program every two years. The last full performance audit was submitted on September 8, 2022, and it addressed testing delays, the availability of test sites, and the monitoring of testing delays. On June 14, 2024, the Auditor issued a report to assess agency actions in response to recommendations provided in previous performance audits.

**Summary of Amended Bill:**

The Department of Health (Department) must adopt rules to provide long-term care workers additional time to become certified as home care aides, beyond the 200-day limit. An exemption to the 200-day limit for becoming certified is available to applicants for a home care aide certification who meet the Department's additional time criteria.

The additional time allowance applies while the Office of the State Auditor completes its biennial performance audit of the long-term in-home care program on the training requirements and competency assessments for home care aides and provides recommendations to the Legislature. The Department's rules remain in effect until 90 days after the adjournment of the legislative session that follows the publication of the 2026 biennial performance audit.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:**

(In support) The home care aide testing and credentialing system is broken and it disadvantages a workforce that is not in a position to deal with the hurdles required to become certified. The aging population requires greater numbers of home care aides, but severe delays in training and testing, coupled with licensing backlogs, have disrupted the careers of many caregivers. When caregivers cannot meet the mandatory 200-day credentialing timeline, employers need to fire and rehire caregivers to reset the timeline which forces caregivers to lose benefits and leave time and clients to lose the caregivers that they depend on for comfort, dignity, and companionship. This bill provides necessary relief while permanent solutions are developed. The growth in the need for caregivers highlights the urgent need for legislation that mitigates work stoppages for providers and enhances the capacity to serve more individuals. While there is support for the bill, it does not go far enough since caregivers are not subject to the Uniform Disciplinary Act and do not have to comply with nurse delegation laws or provide medication assistance to residents until they are certified as home care aides.

(Opposed) None.

**Persons Testifying:** Allison Lally, Brookdale Senior Living; Courtney Williams, Director of Government Affairs and Advocacy for The Adult Family Home Council; and Lauri St Ours, WHCA.

**Persons Signed In To Testify But Not Testifying:** None.