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

RCS MANAGEMENT BULLETIN

R21-001 – INFORMATION
January 8, 2021

TO: RCS Regional Administrators
RCS NH Field Managers
RCS Management Team
RCS NH Field Staff

FROM: Candace Goehring, Director
Residential Care Services
CGoehring 1/8/2021

SUBJECT: **CR-103E FILED TO EXTEND EMERGENCY RULE AMENDING NURSING HOME REQUIREMENTS RELATED TO CLINICAL RECORDS**

PURPOSE: To inform staff of the second extension of the emergency rule related to WAC 388-97-0300 and clinical records.

BACKGROUND:
- On May 26, 2020, Residential Care Services (RCS) filed an emergency rule (WSR 20-11-043) related to clinical records. The rule making was undertaken because of the COVID-19 emergency. The rule expired on September 12, 2020.
- On September 12, 2020, RCS extended the emergency rule with WSR 20-19-040. The extended rule expired January 8, 2021.
- RCS filed a CR-101 (WSR 20-19-009) on September 3, 2020 to begin permanent rule making on WAC 388-97-0300 and other related rules.

WHAT'S NEW, CHANGED, OR CLARIFIED: RCS filed a second extension of the emergency rule (CR-103E) with WSR 21-02-074. The emergency rule:
- Is effective January 8, 2021 and expires May 5, 2021.
- Extends the amendment of WAC 388-97-0300 to lengthen the time nursing homes have to provide the resident access to, or copies of, the requested clinical record from two to ten days.

ACTION:
Staff will:
Review the emergency rules and attached provider letter.

RELATED REFERENCES:
1. Chapter 388-97 WAC, Nursing Homes
2. CR-103E (WSR 20-11-043)
3. CR-103E First Extension (WSR 20-19-040)
4. CR-101 (WSR 20-19-009)

ATTACHMENTS:
1. Dear NH Administrator - ALTSA: NH #2021-001
2. CR-103E Second Extension (WSR 21-02-074)

CONTACTS: Lisa Herke, Nursing Home Policy Program Manager, at (509) 209-3088