

**RCW 74.39A.086 Enforcement actions against persons not certified as home care aides and their employers—Rule-making authority.** (1)

The department shall take appropriate enforcement action related to the contract of a consumer directed employer or a licensed or certified private agency or facility that provides long-term care services and knowingly employs a long-term care worker who is not a certified home care aide as required under chapter 18.88B RCW or, if exempted from certification under RCW 18.88B.041, who has not completed his or her required training under RCW 74.39A.074.

(2) The department shall deny payment to individual providers who provided services under a contract with the department if they have been notified that they are no longer permitted to work because they:

(a) Were not certified as home care aides as required under chapter 18.88B RCW; or

(b) Had not completed the training required under RCW 74.39A.074.

(3) The department may terminate the contract of any individual provider under contract with the department who:

(a) Is not certified as a home care aide as required under chapter 18.88B RCW; or

(b) Has not completed the training required under RCW 74.39A.074.

(4) Chapter 34.05 RCW shall govern actions by the department under this section.

(5) The department shall adopt rules to implement this section. [2018 c 278 s 10; 2012 c 164 s 602; 2012 c 1 s 109 (Initiative Measure No. 1163, approved November 8, 2011).]

**Findings—Intent—2018 c 278:** See note following RCW 74.39A.500.

**Finding—Intent—Rules—Effective date—2012 c 164:** See notes following RCW 18.88B.010.

**Intent—Findings—Performance audits—Spending limits—Contingent effective dates—Application—Construction—Effective date—Short title—2012 c 1 (Initiative Measure No. 1163):** See notes following RCW 74.39A.056.