RCW 70.127.040 Persons, activities, or entities not subject to regulation under chapter. The following are not subject to regulation for the purposes of this chapter:

(1) A family member providing home health, hospice, or home care services;

(2) A person who provides only meal services in an individual's permanent or temporary residence;

(3) An individual providing home care through a direct agreement with a recipient of care in an individual's permanent or temporary residence;

(4) A person furnishing or delivering home medical supplies or equipment that does not involve the provision of services beyond those necessary to deliver, set up, and monitor the proper functioning of the equipment and educate the user on its proper use;

(5) A person who provides services through a contract with a licensed agency;

(6) An employee or volunteer of a licensed agency who provides services only as an employee or volunteer;

(7) Facilities and institutions, including but not limited to nursing homes under chapter 18.51 RCW, hospitals under chapter 70.41 RCW, adult family homes under chapter 70.128 RCW, assisted living facilities under chapter 18.20 RCW, developmental disability residential programs under chapter 71A.12 RCW, other entities licensed under chapter 71.12 RCW, or other licensed facilities and institutions, only when providing services to persons residing within the facility or institution;

(8) Local and combined city-county health departments providing services under chapters 70.05 and 70.08 RCW;

(9) An individual providing care to ill individuals, individuals with disabilities, or vulnerable individuals through a contract with the department of social and health services;

(10) Nursing homes, hospitals, or other institutions, agencies, organizations, or persons that contract with licensed home health, hospice, or home care agencies for the delivery of services;

(11) In-home assessments of an ill individual, an individual with a disability, or a vulnerable individual that does not result in regular ongoing care at home;

(12) Services conducted by and for the adherents of a church or religious denomination that rely upon spiritual means alone through prayer for healing in accordance with the tenets and practices of such church or religious denomination and the bona fide religious beliefs genuinely held by such adherents;

(13) A medicare-approved dialysis center operating a medicare-approved home dialysis program;

(14) A person providing case management services. For the purposes of this subsection, "case management" means the assessment, coordination, authorization, planning, training, and monitoring of home health, hospice, and home care, and does not include the direct provision of care to an individual;

(15) Pharmacies licensed under RCW 18.64.043 that deliver prescription drugs and durable medical equipment that does not involve the use of professional services beyond those authorized to be performed by licensed pharmacists pursuant to chapter 18.64 RCW and those necessary to set up and monitor the proper functioning of the equipment and educate the person on its proper use;

(16) A volunteer hospice complying with the requirements of RCW 70.127.050;

(17) A person who provides home care services without compensation;

(18) Nursing homes that provide telephone or web-based transitional care management services;

(19) A rural health clinic providing health services in a home health shortage area as declared by the department pursuant to 42 C.F.R. Sec. 405.2416;

(20) Hospital at-home services provided by a hospital pursuant to RCW 70.41.550;

(21) A consumer directed employer as described in RCW 74.39A.500; and

(22) An entity contracted with the department of social and health services as a financial services agency and who only serves clients of in-home long-term care workers who are qualified family members as described in RCW 50B.04.010. [2025 c 380 s 46; 2024 c 259 s 4; 2020 c 258 s 2; 2012 c 10 s 54; 2011 c 366 s 6. Prior: 2003 c 275 s 3; 2003 c 140 s 8; 2000 c 175 s 4; 1993 c 42 s 2; 1988 c 245 s 5.]

Effective date—2025 c 380 ss 1-11, 15, 16, and 40-46: See note following RCW 50B.04.180.

Findings—Intent—2024 c 259: See note following RCW 70.41.550.

Application—2012 c 10: See note following RCW 18.20.010.

Findings—Purpose—Conflict with federal requirements—2011 c 366: See notes following RCW 18.20.020.

Effective date—2003 c 140: See note following RCW 18.79.040.

Effective date—2000 c 175: See note following RCW 70.127.010.

Severability—Effective dates—1993 c 42: See notes following RCW 70.127.010.