

## Washington State Law Waiver Tracker (updated April 30, 2020)

In a highly regulated field like healthcare, temporary waivers of certain regulations allow healthcare facilities to adjust and respond more quickly during a public health emergency. This waiver tracker provides status updates on healthcare-relevant state law waivers in Washington State. Please consult legal counsel for specific advice or interpretation.

Governor waivers are effective for 30 days, unless extended in writing by the majority and minority leadership of the Senate and House of Representatives, until the legislature can extend the waiver or suspension by concurrent resolution.

[RCW 43.06.220\(4\)](#)

### Hospitals

Waiver Topic	Statutory/Regulatory Citations	Release Date	Impact of Waiver	Effective Date	Other
Certificate of Need – establish new facilities	<a href="#">RCW 70.38.105(4)(a)</a>	3/30/2020	No CN required for the construction, development, or other establishment of a new <a href="#">health care facility</a> .	3/30/2020 – 5/9/2020	
Certificate of Need – establish new facilities; expanding home health & hospice; ASF operating rooms	<a href="#">WAC 246-310-020(1)(a)</a>	3/30/2020	<p>No CN required for the construction, development, or other establishment of a new health care facility.</p> <p>No CN required for a new health care facility initiated as a health service of an existing health care facility.</p> <p>Expanding home health agency or hospice service area is not considered the development of a new home health agency or hospice.</p> <p>No CN required for expanding the number of operating rooms at an ASF.</p>	3/30/2020 – 5/9/2020	

Certificate of Need – sale, purchase, lease of a hospital	<a href="#">RCW 70.38.105(4)(b)</a>	3/30/2020	No CN required for the sale, purchase, or lease of part or all of any existing acute care or psychiatric hospital.	3/30/2020 – 5/9/2020	
Certificate of Need – sale, purchase, lease of a hospital	<a href="#">WAC 246-310-020(1)(b)</a>	3/30/2020	No CN required for the sale, purchase, or lease of part or all of any existing acute care or psychiatric hospital.	3/30/2020 – 5/9/2020	
Certificate of Need – change bed capacity	<a href="#">RCW 70.38.105(4)(e)</a>	3/30/2020	<p>No CN required to increase the total number of licensed beds at a health care facility.</p> <p>No CN required to redistribute beds among acute care, nursing home care, and assisted living facility.</p> <p>No CN required for a change in bed capacity of a rural health care facility licensed under RCW 70.175.100 that increases the total number of nursing home beds or redistributes beds from acute care or assisted living facility care to nursing home care.</p> <p>Remove state law version of federal critical access hospitals 25-bed limit.</p> <p>No CN required for critical access hospitals that have a nursing home within 27 miles.</p>	3/30/2020 – 5/9/2020	Hospitals seeking to exceed licensed bed capacity should submit a request to DOH <a href="#">using the medical surge request process</a> .
Certificate of Need – change bed capacity	<a href="#">WAC 246-310-020(1)(c)</a>	3/30/2020	No CN required for a change in bed capacity of a health care facility increasing the total number of licensed beds or redistributing beds among acute care, nursing home care, and assisted living facility care.	3/30/2020 – 5/9/2020	
Certificate of Need – nursing home services	<a href="#">RCW 70.38.105(4)(g)</a>	3/30/2020	No CN required for any expenditure for the construction, renovation, or alteration of a nursing home or change in nursing home services in excess of the expenditure minimum made in preparation for any undertaking subject to CN.	3/30/2020 – 5/9/2020	

Certificate of Need – nursing home services	<a href="#">WAC 246-310-020(1)(g)</a>	3/30/2020	No CN required for any expenditure for the construction, renovation, or alteration of a nursing home or change in nursing home services in excess of the expenditure minimum made in preparation for any undertaking subject to CN.	3/30/2020 – 5/9/2020	
Certificate of Need – dialysis stations	<a href="#">RCW 70.38.105(4)(h)</a>	3/30/2020	No CN required for increase in the number of dialysis stations in a kidney disease center.	3/30/2020 – 5/9/2020	
Certificate of Need – dialysis stations	<a href="#">WAC 246-310-020(1)(e)</a>	3/30/2020	No CN required for increase in the number of dialysis stations in a kidney disease center.	3/30/2020 – 5/9/2020	
Certificate of Need – dialysis facilities	<a href="#">WAC 246-310-806(1)</a> <i>partial</i>	3/30/2020	Waive deadlines for Special Circumstances 1 Concurrent Review Cycle.	3/30/2020 – 5/9/2020	
Certificate of Need – hospice	<a href="#">WAC 246-310-290(3)</a> <i>partial</i>	3/30/2020	Waive deadline for Cycle 2 Applicant Response.	3/30/2020 – 5/9/2020	
Facility Licensing – Estimate of charges	<a href="#">RCW 70.41.450</a>	3/30/2020	Acute hospitals are not required to post a sign in patient registration areas that estimated charges are available.	3/30/2020 – 5/9/2020	
Facility Licensing – fire protection inspections	<a href="#">RCW 70.41.080</a>	3/30/2020	Waive standards for fire protection inspection, reports, and enforcement at acute care hospitals.	3/30/2020 – 5/9/2020	
Facility Licensing – rural facilities that change status	<a href="#">RCW 70.41.090(3), (4), (5)</a>	3/30/2020	No CN or construction review required for rural health care facilities licensed under RCW 70.175.100 formerly licensed as an acute care hospital to apply for hospital license.  No CN or construction review required for rural hospital that reduced beds to become a rural primary care hospital to increase the number of beds licensed under this chapter to number of previously licensed number of beds.	3/30/2020 – 5/9/2020	

			No CN or construction review required for rural hospital participating in Washington rural health access preservation pilot to renew license.		
Facility Licensing – acute care license	<a href="#">RCW 70.41.110</a> <i>partial</i>	3/30/2020	Acute care hospital licenses may exceed 36 months in duration.  Remove requirement that acute care hospital licenses are only for premises named.  Acute care hospital licenses are not required to be posted in a conspicuous place on the licensed premises.	3/30/2020 – 5/9/2020	
Facility Licensing – acute care hospital operating without a license	<a href="#">RCW 70.41.170</a>	3/30/2020	Remove penalty for operating an acute care hospital without a license.  Remove penalty for offering a tertiary health service without CN approval.	3/30/2020 – 5/9/2020	
Facility Licensing – MRSA policies	<a href="#">RCW 70.41.430</a>	3/30/2020	Remove requirement that acute care hospitals adopt MRSA policies regarding testing, prevention, isolation or cohorting, and requirement for oral and written instructions.  Remove requirement that acute care hospitals report MRSA cases to DOH.	3/30/2020 – 5/9/2020	
Facility Licensing – notification of adverse health events	<a href="#">RCW 70.56.020(2)(a)</a>	3/30/2020	Remove requirement that <a href="#">medical facility</a> submit notification of an adverse event to DOH within 48 hours.	3/30/2020 – 5/9/2020	
Facility Licensing – reporting of adverse health events	<a href="#">RCW 70.56.020(2)(b)</a>	3/30/2020	Remove requirement that <a href="#">medical facility</a> submit a report regarding an adverse event to DOH within 45 days.	3/30/2020 – 5/9/2020	

Facility Licensing – initial acute care hospital licensing	<a href="#">WAC 246-320-101(1)</a>	3/30/2020	Remove requirement that hospital submit application packet and fee to the department at least 60 days before the intended opening date of the new hospital.	3/30/2020 – 5/9/2020	
Facility Licensing – acute care bed capacity	<a href="#">WAC 246-320-111(1)(b), (c)</a>	3/30/2020	Acute care hospitals may set up inpatient beds in excess of licensed bed capacity.  Acute care hospitals may exceed licensed beds without CN approval.	3/30/2020 – 5/9/2020	
Facility Licensing – specialty hospital bed capacity	<a href="#">WAC 246-320-116(2), (3)</a>	3/30/2020	Specialty hospitals may set up inpatient beds in excess of licensed bed capacity.  Specialty hospitals may exceed licensed beds without CN approval.	3/30/2020 – 5/9/2020	
Facility Licensing – alcohol & chemical dependency services	<a href="#">WAC 246-320-266(4)</a>	3/30/2020	Remove requirement that hospitals assure privacy for patients receiving alcohol and chemical dependency services during interviewing, group and individual counseling, physical examinations, and social activities.	3/30/2020 – 5/9/2020	
Facility Licensing – psychiatric services	<a href="#">WAC 246-320-271(4)</a>	3/30/2020	Remove requirement that hospitals assure privacy for patients receiving psychiatric services during interviewing, group and individual counseling, physical examinations, and social activities.	3/30/2020 – 5/9/2020	
Facility Licensing – physical environment requirements	<a href="#">WAC 246-320-296(10)</a>	3/30/2020	Remove physical environment requirements that hospitals must provide storage, specific plumbing, certain ventilation, clean surfaces & finishes, and a functional patient call system.	3/30/2020 – 5/9/2020	
Facility Licensing – construction review	<a href="#">WAC 246-320-500, 505, and 600</a>	3/30/2020	Remove construction standard regulations for acute care hospitals.	3/30/2020 – 5/9/2020	

Pharmacy assistants – remove PQAC prior authorization	<a href="#">RCW 18.64A.040(1), (2)</a>	3/30/2020	Pharmacy ancillary personnel are allowed to practice without prior authorization by the Pharmacy Quality Assurance Commission.	3/30/2020 – 5/9/2020	
Pharmacy assistants – remove PQAC prior authorization	<a href="#">RCW 18.64A.060</a>	3/30/2020	Pharmacy may utilize services of pharmacy ancillary personnel without approval of the commission.	3/30/2020 – 5/9/2020	
Pharmacy ancillary personnel – specialized functions	<a href="#">WAC 246-901-020(3)</a>	3/30/2020	Pharmacy technicians may assist pharmacists.	3/30/2020 – 5/9/2020	
Pharmacy ancillary personnel – specialized functions	<a href="#">WAC 246-901-035</a>	3/30/2020	Pharmacy technician may perform specialized functions without meeting utilization plans and without maintaining records training that are retrievable within 72 hours.	3/30/2020 – 5/9/2020	
Pharmacy ancillary personnel – PQAC approval	<a href="#">WAC 246-901-100</a>	3/30/2020	Board approval is suspended for using ancillary personnel for specialized functions, including reporting back to the board when general utilization plans and specialized function utilization plans are amended.	3/30/2020 – 5/9/2020	
Pharmacists – pharmacy license	<a href="#">RCW 18.64.043(1)</a>	3/30/2020	Removes requirement that licensed pharmacy is limited only to location of license or at a temporary location approved by DOH.	3/30/2020 – 5/9/2020	
Pharmacists – hospital pharmacy license	<a href="#">RCW 18.64.043(2)(a)</a>	3/30/2020	Removes requirement that licensed hospital pharmacy limited only to location of license.	3/30/2020 – 5/9/2020	
Pharmacists – pharmacy license	<a href="#">RCW 18.64.043(3)</a>	3/30/2020	Removes requirement that pharmacy exhibit its license on the premises.	3/30/2020 – 5/9/2020	
Pharmacy – hours	<a href="#">WAC 246-869-020(10)</a>	3/30/2020	Removes requirement to notify and receive inspection and approval from PQAC if the pharmacy hours differ from the establishment where the pharmacy is located.	3/30/2020 – 5/9/2020	

- CN waivers only apply to temporary bed capacity increases & projects undertaken to provide surge capacity for the COVID-19 response. CN must be obtained after the expiration of this waiver.
- Licensure waivers only apply to actions undertaken to provide surge capacity for the COVID-19 response. Hospitals must comply with these statutory and regulatory provisions after the expiration of this waiver.

## Long Term Care Facilities

Waiver Topic	Statutory/Regulatory Citations	Release Date	Impact of Waiver	Effective Date	Other
Nursing Homes – certificate of need	<a href="#">RCW 70.38.105(4)(d)</a>	3/30/2020	No CN required capital expenditure for the construction, renovation, or alteration of a nursing home which substantially changes the services of the facility.	3/30/2020 – 5/9/2020	
Nursing Homes – certificate of need	<a href="#">WAC 246-310-020(1)(f)</a>	3/30/2020	No CN required for a capital expenditure in excess of the expenditure minimum for the construction, renovation, or alteration of a nursing home.	3/30/2020 – 5/9/2020	
Nursing Homes – alternation or construction of new facility	<a href="#">RCW 18.51.091</a>	3/30/2020	Remove requirement to submit plans and specifications to DSHS for preliminary inspection and approval before alterations, additions, or new construction can start.	3/30/2020 – 5/9/2020	
Nursing Homes – preliminary inspection & approval	<a href="#">RCW 18.51.240</a>	3/30/2020	Remove requirement to submit plans and specifications to DSHS for preliminary inspection and approval before alterations, additions, or new construction can start.	3/30/2020 – 5/9/2020	
Nursing Homes – certificate of need	<a href="#">WAC 246-310-020(1)(f)</a>	3/30/2020	No CN required for a capital expenditure in excess of the expenditure minimum for the construction, renovation, or alteration of a nursing home.	3/30/2020 – 5/9/2020	
Nursing Homes – requirements related to new construction	<a href="#">WAC 388-97-2060(1), (2), (3)</a>	3/30/2020	Nursing homes may undertake new construction without compliance with physical environment, DOH application, CN, and construction review requirements.	3/30/2020 – 5/9/2020	

Nursing Homes – requirements related to new construction	<a href="#">WAC 388-97-3400 through WAC 388-97-3480</a>	3/30/2020	Remove requirements to submit documents relating to new construction plans, preinstallation submissions, and construction timelines.	3/30/2020 – 5/9/2020	
Nursing Homes – compliance with state building code	<a href="#">WAC 388-97-3520</a>	3/30/2020	Remove requirements for nursing homes to demonstrate compliance with state building codes and local jurisdiction standards.	3/30/2020 – 5/9/2020	
ALF – alternation or construction of new facility	<a href="#">RCW 18.20.110</a>	3/30/2020	Remove requirement to submit plans and specifications to DSHS for preliminary inspection and approval before alterations, additions, or new construction can start.	3/30/2020 – 5/9/2020	
ALF – increasing licensed bed capacity	<a href="#">WAC 388-78A-2810(1)</a>	3/30/2020	Remove requirement for construction review and approval before adding rooms, beds, or related auxiliary spaces.	3/30/2020 – 5/9/2020	
ALF – construction requirements	<a href="#">WAC 388-78A-2821(2)</a>	3/30/2020	Remove requirements for ALFs to meet requirements regarding preconstruction, construction document review, resubmittals, construction, and project closeout.	3/30/2020 – 5/9/2020	
ALF – review building plans	<a href="#">WAC 388-78A-2850(1)</a>	3/30/2020	Remove requirements for ALFs to notify construction review services of all planned construction before beginning work.	3/30/2020 – 5/9/2020	
ALF – physical plant requirements	<a href="#">WAC 388-78A-2851(2)(a) and (6)</a>	3/30/2020	Remove requirement that the physical environment requirements in place at the time of an application apply for the duration of the project.  Remove requirement to complete construction in compliance with construction review services.	3/30/2020 – 5/9/2020	
ALF – construction review	<a href="#">WAC 388-78A-2853(1)(a) and (b)</a>	3/30/2020	ALF may be licensed without construction review services providing notice of completion of construction and copies	3/30/2020 – 5/9/2020	



			of certificate of occupancy, functional program, floor plan, and state fire marshal inspection.		
ALF – construction review	<a href="#">WAC 388-78A-2853(2)(a)</a>	3/30/2020	ALF can use new construction without approval by construction review services for scope of work that does not require DSHS or fire marshal inspection.	3/30/2020 – 5/9/2020	
ALF – construction review	<a href="#">WAC 388-78A-2853(2)(b)</a>	3/30/2020	ALF can use new construction without recommended approval by construction review services for projects requiring DSHS inspection.	3/30/2020 – 5/9/2020	
ALF – construction review	<a href="#">WAC 388-78A-2853(2)(c)</a>	3/30/2020	ALF can use new construction without recommended approval by construction review services for projects that the fire marshal has inspected and DSHS has licensed.	3/30/2020 – 5/9/2020	
ALF – changing use of rooms	<a href="#">WAC 388-78A-2880</a>	3/30/2020	ALF can use a room for a purpose other than what was approved without notice to construction review services.	3/30/2020 – 5/9/2020	
ALF – maintain paperwork	<a href="#">WAC 388-78A-2900</a>	3/30/2020	ALF does not need to maintain paper or electronic copies of construction materials, approved construction documents, certificates of occupancy, functional program, and DSHS approved exemption or alternative methods of compliance.	3/30/2020 – 5/9/2020	
Registered nursing assistants	<a href="#">RCW 18.88A.030(2)(a)</a>	3/30/2020	Registered nursing assistants in nursing homes do not need to obtain certification via an approved training program within 4 months of employment or alternative training & competency evaluation prior to employment.	3/30/2020 – 5/9/2020	
Registered nursing assistants	<a href="#">WAC 388-97-1660(3)(a)(i)</a>	3/30/2020	Nursing homes do not need to ensure registered nursing assistants complete training within 4 months of beginning work.	3/30/2020 – 5/9/2020	

- Waivers and suspensions only apply to work undertaken to provide surge capacity for the COVID-19 response. CN must be obtained after the expiration of this waiver.

## Healthcare Workforce

Waiver Topic	Statutory/Regulatory Citations	Release Date	Impact of Waiver	Effective Date	Other
Barriers to continued practice	<a href="#">RCW 43.70.280(2)</a> <i>partial</i>	3/26/2020	Allow secretary of health to extend or otherwise modify the duration of any licensing, certification, or registration period without engaging in DOH rulemaking process.	3/26/2020 – 5/1/2020	
Barriers to continued practice	<a href="#">RCW 70.41.230</a>	3/26/2020	Remove obligation for hospitals to perform credentialing and privileging processes for physicians, PAs, and ARNPs.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Mental health counselors, marriage and family therapists, and social workers	<a href="#">WAC 246-809-080</a> <a href="#">WAC 246-809-600</a> <a href="#">WAC 246-809-615</a> <a href="#">WAC 246-809-630</a> <a href="#">WAC 246-809-632</a>	3/26/2020	Remove requirement for licensed and associate counselors to complete 4 hours of AIDS education.  Licensed and associate counselors do not need to complete continuing education as required in <a href="#">WAC 246-809-630</a> , <a href="#">WAC 246-809-632</a> .  Licensed counselors do not need to complete training in suicide assessment, treatment, and management.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Health care assistants	<a href="#">WAC 246-826-230</a>	3/26/2020	Remove requirement for health care assistants to complete 7 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Health care assistants	<a href="#">WAC 246-827-0220(1)(c)</a> <a href="#">WAC 246-827-0300(4)</a> <a href="#">WAC 246-827-0410(4)</a> <a href="#">WAC 246-827-0510(4)</a>	3/26/2020	Medical assistants-certified do not need to submit proof of completion of education/training program.  Medical assistants-registered, -phlebotomist, and -hemodialysis technicians do not need to complete 7 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice	<a href="#">WAC 246-840-025(2)</a> <a href="#">WAC 246-840-030(2)</a>	3/26/2020	RNs and practical nurses do not need to complete 7 hours of AIDS education.	3/26/2020 – 5/4/2020	



<p>– Nursing professionals</p>	<p><a href="#">WAC 246-840-045(1)(d)</a>  <a href="#">WAC 246-840-090(6)</a>  <a href="#">WAC 246-840-111(2)(c)</a>  <a href="#">WAC 246-840-220</a>  <a href="#">WAC 246-840-230</a>  <a href="#">WAC 246-840-250</a>  <a href="#">WAC 246-840-260</a>  <a href="#">WAC 246-840-302(2)</a>  <a href="#">WAC 246-840-360(1)(b), (c), (2)(b), (c)(i)</a>  <a href="#">WAC 246-840-365(2)(c)</a>  <a href="#">WAC 246-840-367(4)(b), (c)</a>  <a href="#">WAC 246-840-450(1)(b), (c)</a>  <a href="#">WAC 246-840-539(6)(i)</a>  <a href="#">WAC 246-840-541(1)(m)</a>  <a href="#">WAC 246-840-860(3)</a>  <a href="#">WAC 246-840-905(2)(b)</a></p>		<p>Nursing professionals with expired licenses do not need to meet continuing competency requirements of WAC <a href="#">246-840-201</a> through <a href="#">246-840-207</a>.</p> <p>Nursing professionals do not need to meet continuing competency requirements.</p> <p>Nursing commission will not conduct continuing competency audits.</p> <p>Nursing professionals reactivating from expired or inactive status do not need to meet continuing competency requirements.</p> <p>ARNPs do not need to maintain current certification within his/her designation.</p> <p>ARNPs seeking license renewal do not need to submit current certification or have taken/attest to 30 hours of continuing education.</p> <p>ARNPs seeking to move from inactive to active status do not need to submit fee.</p> <p>ARNP seeking to move from expired status need not submit evidence of current certification or 30 hours of continuing education.</p> <p>ARNP renewing prescription authority do not need to submit evidence of current certification or continuing education hours.</p>		
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			<p>Nurse practitioners, prelicense RNs, and nursing technicians do not need to meet AIDs education requirement.</p> <p>Nurse technicians do not need to meet AIDS education requirement.</p>		
Barriers to continued practice – Nursing assistants	<a href="#">WAC 246-841-470(6)(g)</a> <a href="#">WAC 246-841-490(2)(a), (5)</a> <a href="#">WAC 246-841-578(4)</a> <a href="#">WAC 246-841-585(1)(c), (2)(c)</a> <a href="#">WAC 246-841-588(4)(b)</a> <a href="#">WAC 246-841-610</a>	3/26/2020	<p>Nursing assistants may perform clinical skill with patients or clients without first demonstrating the skill satisfactorily to an instructor in a practice setting.</p> <p>Nursing assistants do not need to complete 35 hours of classrooms training, including AIDS training.</p> <p>Nursing assistants-certified do not need to complete 7 hours of AIDS education.</p> <p>Nursing assistants-certified do not need to provide documentation of current certificate as home care aide or official transcript from medical assistant program.</p> <p>Nursing assistants-certified do not need to provide documentation of continuing education, including AIDS education.</p>	3/26/2020 – 5/4/2020	
Barriers to continued practice – Nursing assistants – nursing homes	<a href="#">WAC 246-842-190(2)(a)</a> <i>partial</i>	3/26/2020	<p>Nursing assistants- nursing homes do not need to complete 7 hours of AIDS education.</p>	3/26/2020 – 5/4/2020	
Barriers to continued practice – Osteopathic physicians and surgeons	<a href="#">WAC 246-853-065</a> <a href="#">WAC 246-853-080</a> <a href="#">WAC 246-853-230</a>	3/26/2020	<p>DOs do not need to complete training in 1) suicide assessment, treatment, management, 2) continuing education requirements, or 3) 7 hours of AIDS education.</p>	3/26/2020 – 5/4/2020	

Barriers to continued practice – Osteopathic physicians’ assistants	<a href="#">WAC 246-854-080(2)(d)</a> <a href="#">WAC 246-854-110</a> <a href="#">WAC 246-854-115</a> <a href="#">WAC 246-854-116</a>	3/26/2020	PAs do not need to complete training in 1) suicide assessment, treatment, management, 2) continuing education requirements, or 3) 4 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Pharmacists	<a href="#">WAC 246-861-020</a> <a href="#">WAC 246-861-090</a> <a href="#">WAC 246-861-105</a> <a href="#">WAC 246-863-120</a>	3/26/2020	Pharmacists do not need to complete training in 1) suicide assessment, treatment, management, 2) continuing education requirements, or 3) 7 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Pharmacy ancillary personnel	<a href="#">WAC 246-901-061</a> <a href="#">WAC 246-901-120</a>	3/26/2020	Pharmacy technician do not need to complete continuing education requirements or 4 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Physician assistants	<a href="#">WAC 246-918-080(2)(d)</a> <a href="#">WAC 246-918-081(1)</a> <a href="#">WAC 246-918-180</a> <a href="#">WAC 246-918-185</a>	3/26/2020	PAs do not need to complete training in 1) suicide assessment, treatment, management, 2) continuing education requirements, or 3) 4 hours of AIDS education.  PAs with expired license do not need to meet continuing education requirements in order to return to active status.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Physicians	<a href="#">WAC 246-919-380</a> <a href="#">WAC 246-919-430</a> <a href="#">WAC 246-919-435</a>	3/26/2020	MDs do not need to complete training in 1) suicide assessment, treatment, management, 2) continuing education requirements, or 3) 4 hours of AIDS education.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Respiratory care practitioners	<a href="#">WAC 246-928-440</a> <a href="#">WAC 246-928-442</a> <a href="#">WAC 246-928-443</a>	3/26/2020	Respiratory care practitioners do not need to meet continuing education requirements and documentation.	3/26/2020 – 5/4/2020	
Barriers to continued practice – Home care aides	<a href="#">WAC 246-980-110</a> <a href="#">WAC 246-980-115(1)(c), (2)(a)</a>	3/26/2020	Home care aids do not need to meet continuing education requirements and documentation, including reinstating expired certification.	3/26/2020 – 5/4/2020	

Retired active licensees – Mental health counselors, marriage and family therapists, and social workers	<a href="#">WAC 246-809-730(3)</a>	3/26/2020	Licensed counselors who are retired with an active license do not need to complete continuing education and comply with annual renewal timeline.	3/26/2020 – 5/4/2020	
Retired active licensees – Nursing professionals	<a href="#">WAC 246-840-125(4)(b), (c)</a>	3/26/2020	Registered or licensed practical nurses who are retired with an active license do not need to complete continuing education and practice hours.	3/26/2020 – 5/4/2020	
Retired active licensees – DO	<a href="#">WAC 246-853-235(2), (3)(a), (5)</a>	3/26/2020	DOs who are retired with an active license may receive compensation and may provide care in emergent circumstances. They do not need to complete and report continuing education.	3/26/2020 – 5/4/2020	
Retired active licensees – DO PA	<a href="#">WAC 246-854-112(2), (3), (4)(a)</a>	3/26/2020	PAs who are retired with an active license do not need a delegation agreement, may receive compensation, and may provide care in emergent circumstances.	3/26/2020 – 5/4/2020	
Retired active licensees – Pharmacists	<a href="#">WAC 246-863-080(2)</a>	3/26/2020	Pharmacists who are retired with an active license may practice pharmacy.	3/26/2020 – 5/4/2020	
Retired active licensees – PA	<a href="#">WAC 246-918-175(2), (3), (4)(a)</a>	3/26/2020	PAs who are retired with an active license do not need a delegation agreement, may receive compensation, and may provide care in emergent circumstances.	3/26/2020 – 5/4/2020	
Retired active licensees – MD	<a href="#">WAC 246-919-480(2), (4)</a> –	3/26/2020	MDs who are retired with an active license may receive compensation and do not need to complete and report continuing education.	3/26/2020 – 5/4/2020	
Medical assistants - supervision	<a href="#">RCW 18.360.010(11)</a>	3/26/2020	Changes supervision standard for MAs. Health care practitioner needs to be immediately available but does not need to be physically present and in the facility. For blood draws the health care practitioner does not need to be immediately available.	3/26/2020 – 5/4/2020	

Medical assistants – certification and registration	<a href="#">RCW 18.360.040(1)(b)</a> <a href="#">RCW 18.360.040(5)(d)</a>	3/26/2020	Remove one-year expiration for interim certification.  Removes 60-day limit for medical assistants-registered to work pending application processing.	3/26/2020 – 5/4/2020	
Medical assistants – interim certification	<a href="#">WAC 246-827-0220(2)(c) &amp; (d)</a>	3/26/2020	Remove one-year expiration for interim certification for medical assistants-certified and allows renewal of interim certification.	3/26/2020 – 5/4/2020	
Pharmacy ancillary personnel – supervision	<a href="#">WAC 246-901-010(11)</a> <a href="#">WAC 246-901-020(1)</a> <i>partial</i> <a href="#">WAC 246-901-040</a> <i>partial</i>	3/26/2020	Removes definition of “immediate supervision” for pharmacy ancillary personnel.  Removes requirement for immediate supervision for pharmacy technicians may perform certain nondiscretionary and specialized functions (supervision still required).  Removes requirement for immediate supervision of those enrolled in pharmacy technician training programs.	3/26/2020 – 5/4/2020	
EMS – expired certification	<a href="#">WAC 246-976-171(4)(a), (b)</a>	3/26/2020	EMS with expired certification of up to 2 years does not need to provide documentation.	3/26/2020 – 5/4/2020	
STD training	<a href="#">RCW 70.24.260</a> <a href="#">RCW 70.24.270</a> <a href="#">RCW 70.24.280</a> <a href="#">RCW 70.24.310</a>	3/26/2020	EMS, health professionals, pharmacists, and health care facility employees do not need to meet AIDS education and training requirement.	3/26/2020 – 5/4/2020	
Suicide training	<a href="#">RCW 43.70.442</a>	3/26/2020	Relieves a variety of health care professionals from the obligation to complete training in suicide assessment, treatment, and management.	3/26/2020 – 5/4/2020	
Continuing education for	<a href="#">WAC 246-12-040(3)(a)(v), (b)(viii), (c)(vi), (ix), (xi)</a>	3/26/2020	Health care providers listed under the Uniform Disciplinary Act do not need to comply with or provide documentation re current continuing education	3/26/2020 – 5/4/2020	

providers subject to UDA	<a href="#">WAC 246-12-170 through 200</a> <a href="#">WAC 246-12-250 through 280</a>		requirements. Those with credentials expired over 3 years do not need to provide proof of AIDS education.  Removes most continuing education requirements, including education re AIDS.		
Health care provider volunteers	<a href="#">WAC 246-12-130(2)(d)</a>	3/26/2020	Health care provider listed under the Uniform Disciplinary Act who are retired with active credentials do not need to provide declaration that continuing education requirements are met.	3/26/2020 – 5/4/2020	
Health care provider volunteers	<a href="#">WAC 246-12-430(1)(a)</a> <a href="#">WAC 246-12-440</a>	3/26/2020	Health care provider listed under the Uniform Disciplinary Act who are retired with volunteer medical worker license do not need to provide declaration that continuing education requirements are met. They also do not need comply with license renewal requirements.	3/26/2020 – 5/4/2020	
Health care provider volunteers – military status	<a href="#">WAC 246-12-530(4)</a> <a href="#">WAC 246-12-560(6)</a>	3/26/2020	Health care provider listed under the Uniform Disciplinary Act who return from military status to active status do not need to meet continuing education requirements.	3/26/2020 – 5/4/2020	
Delegation of nursing tasks in community and home care settings	<a href="#">WAC 246-840-930(8)(b)</a> <a href="#">WAC 246-840-940</a>	3/26/2020	RN delegators do not need to verify if a nursing assistant or home care aide has completed basic caregiver and core delegation training before delegating a nursing task.  The NQAC community-based and in-home setting delegation decision tree is waived.	3/26/2020 – 5/4/2020	
PAAs– Delegation	<a href="#">RCW 18.71A.030(1) and (2)</a> <i>partial</i>	3/26/2020	PA may practice without approved delegation agreement.	3/26/2020 – 5/4/2020	
PAAs – Commission approval	<a href="#">RCW 18.71A.035(1) and (2)</a> <a href="#">RCW 18.71A.040</a>	3/26/2020	PA may work at remote site and may be employed/supervised by a physician without approval of commission/designee.	3/26/2020 – 5/4/2020	



PAs– Delegation	<a href="#">WAC 246-918-035(1)</a> <i>partial</i>	3/26/2020	PA may prescribe, order, administer, and dispense legend drugs and controlled substances without limitation to delegation agreement.	3/26/2020 – 5/4/2020	
PAs– Delegation	<a href="#">WAC 246-918-055</a>	3/26/2020	Removes requirement for PA and sponsoring physician to submit joint delegation agreement forms.	3/26/2020 – 5/4/2020	
PAs – Temporary practice permit	<a href="#">WAC 246-918-075(2)</a> <i>Partial</i>	3/26/2020	Removes requirement that temporary practice permit holder must have approved delegation agreement.	3/26/2020 – 5/4/2020	
PAs – Licensure	<a href="#">WAC 246-918-080(4)</a>	3/26/2020	PA may begin practice without approved delegation agreement.	3/26/2020 – 5/4/2020	
PAs – osteopathic PA to allopathic PA	<a href="#">WAC 246-918-082(2)</a>	3/26/2020	PA may begin practice without approved delegation agreement.	3/26/2020 – 5/4/2020	
PAs – Osteopathic PA	<a href="#">WAC 246-918-095</a> <i>partial</i>	3/26/2020	PA may practice without delegation agreement.	3/26/2020 – 5/4/2020	
PAs – Remote sites	<a href="#">WAC 246-918-120</a>	3/26/2020	Removes requirement for commission approval for PAs working at remote sites.	3/26/2020 – 5/4/2020	
PAs – Osteopathic PA	<a href="#">RCW 18.57A.030(1), (2)</a> <a href="#">RCW 18.57A.035(1), (2)</a> <a href="#">RCW 18.57A.040</a>	3/26/2020	PA may practice without an approved delegation agreement, may practice remotely without board approval, and may be employed/supervised without board approval.	3/26/2020 – 5/4/2020	
PAs – Osteopathic PA use and supervision	<a href="#">WAC 246-854-015(2), (3), (4), (8)</a>	3/26/2020	PA may practice without board approved delegation agreement, may practice outside locations designated in delegation agreement, and need not submit a new delegation agreement for approval of new relationship.  Removes limit on DOs supervising up to 5 PAs.	3/26/2020 – 5/4/2020	

PA's – Osteopathic PA delegation agreement	<a href="#">WAC 246-854-021</a>	3/26/2020	Removes requirement for PA and sponsoring physician to submit joint delegation agreement forms.	3/26/2020 – 5/4/2020	
PA's – Delegation - Osteopathic PA	<a href="#">WAC 246-854-030(1)</a> <i>partial</i>	3/26/2020	PA's may prescribe, order, administer, and dispense legend drugs and controlled substances without limitation to delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Delegation - Osteopathic PA	<a href="#">WAC 246-854-035(2)</a>	3/26/2020	Remove requirement PA perform services approved in delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Delegation - Osteopathic PA	<a href="#">WAC 246-854-075(2)</a> <i>partial</i>	3/26/2020	Removes requirement that temporary practice permit holder must have approved delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Board approval - Osteopathic PA	<a href="#">WAC 246-854-080(4)</a>	3/26/2020	PA may begin practice without written approach from board.	3/26/2020 – 5/4/2020	
PA's – Allopathic PA to Osteopathic PA	<a href="#">WAC 246-854-082(2)</a>	3/26/2020	PA may begin practice without approved delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Scope of practice - Osteopathic PA	<a href="#">WAC 246-854-095</a> <i>partial</i>	3/26/2020	Removes requirement for PA to practice under delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Osteopathic PA nonsurgical medical cosmetic procedures	<a href="#">WAC 246-854-230(4)</a> <i>partial</i>	3/26/2020	PA may perform nonsurgical medical cosmetic procedures without approved delegation agreement.	3/26/2020 – 5/4/2020	
PA's – Osteopathic PA pain management specialist	<a href="#">WAC 246-854-330(1)</a> <i>partial</i>	3/26/2020	Remove requirement PA have approved delegation agreement with physician pain management specialist.	3/26/2020 – 5/4/2020	
PA's – Osteopathic PA remote site	<a href="#">WAC 246-854-025</a>	3/26/2020	Removes requirement for commission approval for PA working at remote sites.	3/26/2020 – 5/4/2020	
MD – Limited license	<a href="#">RCW 18.71.095(1), (2), (3), (4)(a)&amp;(b)</a> <i>partial</i>	3/26/2020	Physicians issued limited licenses to work for state entities are not limited to practicing medicine only for the relevant state agency. Applies to limited licenses issued	3/26/2020 – 5/4/2020	

			<p>pursuant to employment with DSHS, DOC, and county or city health departments.</p> <p>Physicians issued limited licenses to work as residents, teaching-research staff, and fellowship positions are not limited to practicing within the confines of those programs.</p>		
DO – Limited license	<p><a href="#">RCW 18.57.035</a> <i>partial</i> – the following language only: “that permits the physician in postgraduate training to practice osteopathic medicine and surgery only in connection with his or her duties as a physician in postgraduate training and does not authorize the physician to engage in any other form of practice”</p>	3/26/2020	DOs issued postgraduate training licenses are not limited to practicing within the training program.	3/26/2020 – 5/4/2020	

## Hand Sanitizer

Waiver Topic	Statutory/Regulatory Citations	Release Date	Impact of Waiver	Effective Date	Other
Hand Sanitizer	<a href="#">RCW 18.64.020</a>	3/30/2020	Allows lawful manufacture and distribution of hand sanitizer without a pharmacy license.	3/30/2020 – 5/9/2020	These waivers and suspensions do not apply except to the manufacturing,
Hand Sanitizer	<a href="#">RCW 18.64.044</a>	3/30/2020	A shopkeepers’ license is not required for selling hand sanitizer.	3/30/2020 – 5/9/2020	

Hand Sanitizer	<a href="#">RCW 18.64.045</a>	3/30/2020	The manufacturers' licensing process is suspended for hand sanitizer.	3/30/2020 – 5/9/2020	distributing, selling, and donating of hand sanitizer.
Hand Sanitizer	<a href="#">RCW 18.64.250(1), (2)</a>	3/30/2020	Removes the penalties for manufacturing and dispensing hand sanitizer without a pharmacist license.	3/30/2020 – 5/9/2020	

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Sources:

[Proclamation 20-32 Department of Health – Healthcare Worker Licensing](#)

- [Extension of Proclamation 20-32](#) (issued April 22, 2020; extends waivers “until the termination of the COVID-19 State of Emergency or May 4, 2020, whichever occurs first”)

[Proclamation 20-36 Department of Health – Health Care Facilities and Hand Sanitizer](#)

- [Extension of Proclamation 20-36](#) (issued April 29, 2020; extends waivers “until the termination of the COVID-19 State of Emergency or May 9, 2020, whichever occurs first”)

[Proclamation 20-37 DSHS – NAR Waiver](#)

- [Extension of Proclamation 20-37](#) (issued April 29, 2020; extends waivers “until the termination of the COVID-19 State of Emergency or May 9, 2020, whichever occurs first”)

[Proclamation 20-38 DSHS – Facilities](#)

- [Extension of Proclamation 20-38](#) (issued April 29, 2020; extends waivers “until the termination of the COVID-19 State of Emergency or May 9, 2020, whichever occurs first”)