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HCAOA-WA April 2023 Public Policy Report

Prepared by Leslie Emerick, Lobbyist

Legislative Landscape

Cherry blossoms are blooming and its beautiful on campus! We are nearing the end of the 105-day “long” session of the legislature which ends on April 23rd, 2023. It’s been quite a session this year with a “new” way of doing business. For the past two years the legislature was virtual because of the COVID-19 pandemic. All testimony and all meetings with legislators were virtual. The silver lining was that many more people had the opportunity to testify from all over the state and that was great!



This year was the first time they tried a “hybrid” model of testifying in person and virtually. It actually worked very well and fairly smoothly as people have gotten used to most virtual formats. Committee staff has had lots of practice over the past two years brining people into public hearings electronically. Security on campus was much tighter than in the past and you can no longer “wander the halls” as a lobbyist or visitor. Everyone must have appointments in advance with a legislator, which reduces the amount of people in the buildings and makes it a bit more difficult for lobbyists!

Where we are at in the legislative process...The next bill cut-off is for bills from the Opposite house, with a fiscal impact on the state budget, must be out of House Appropriation or Senate Ways and Means by April 4th, and out of the Opposite House by April 12th. Some bills are considered “Necessary to implement the budget” and they can be pulled up at any time to pass the final budget.

WA has a biennial legislature and bills that are introduced this year live for 2 years, even if they die this session. At the height of our bill tracking, we have gone from 59 to 27 bills after the bill cut-offs during session. A few more may die in the fiscal committees before we are done.

Bills that are still alive have survived a number of bill cut-offs and most have been amended as they move through the legislative process. This link is to a short and fun description of a complex process that every bill goes through: [How a Bill Becomes a Law](#)

Proposed State Operating Budgets: Both the House ([HB 1140](#)) and Senate ([SB 5187](#)) have introduced their proposed operating budget bills in the past week. The Committee chairs of House Appropriations and Senate Ways and Means have had public hearings on the bills and amended then in Executive Session. The bills passed out of committee to the Rules Committee where they will get a vote on the floor of the respective Houses in the near future and work towards a final compromise budget by the end of the session. Here is a link to the budget bills and agency detail summaries: <https://fiscal.wa.gov/statebudgets/Operatingcurrentproposals>

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The Senate budget writers released their proposal for a two-year, \$69.2 billion operating budget. While \$5.1 billion is added in new spending for the 2023-25 biennium, no new taxes or fees are added to provide the new funding and are leaving \$3.8 billion for reserves as a safeguard for an economic slowdown. House budget writers released a \$69.5 billion operating budget for the two-year, 2023-25 biennium on March 27th. Read more at: <https://www.theolympian.com/news/politics-government/article273649025.html#storylink=cpy>

Good News! Both the Senate and House proposed operating budgets include the Medicaid Pediatric Palliative Care Rate Increase: This makes it highly likely that the budget proviso below will be in the final negotiated budget. The last day of session is April 23, 2023 so we will know by the end of the session whether it's in the final budget....but I suspect that will be the case!

Other Proposed Operating Budget Proviso Language of Interest...

Multistate nurse licensure (DOH): Funding is provided to DOH to implement Substitute Senate Bill 5499 (Multistate nurse licensure). (Health Professions Account-State)

Home care safety net assessment: Page 947, (84) \$17,000 of the general fund—state appropriation for fiscal year 2023 is provided solely for the department to conduct a survey of home care and home health agencies as defined in RCW 70.127.010, to gather financial information for tax or fee planning purposes, including but not limited to total by service line. Any such financial information reported must be de-identified so it does not identify individual recipients of care. The department shall provide this information to the department of social and health services and service employees international union 775 for analysis upon completion of the survey.

Nurse Supply Funding (DOH): is provided for the implementation of the high school certified nursing assistant pilot program and the licensed practical nurse apprenticeship program, and rulemaking, as provided in Engrossed Second Substitute Senate Bill No. 5582 (General Fund-State)

Katie Beckett 1115 Waiver (In House, not Senate budget): Funding is provided for the Health Care Authority (HCA), in coordination with the Department of Social and Health Services, to develop and implement a Katie Beckett 1115 demonstration waiver. (General Fund-State; General Fund-Medicaid)

Health Care Authority (HCA)

Update on Palliative Care Issues: Efforts with the Washington State Health Care Authority (HCA) to establish a new standardized Palliative Care Benefit for the state's Medicaid program and Public Employees Benefit Board (PEBB) and the School Employees Benefit Board (SEBB) are moving forward!

In the 2022 WA State Legislature, WSHPCO was able to get \$250,000 in state funding to help establish a Palliative Care Benefit at the HCA to create a standardized payment methodology for Medicaid, PEBB and SEBB. The funding was used by HCA to hire Oregon Health Sciences

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University Evidence Based Program to do a “gap analysis” to implementing the palliative care benefit. The last piece of the “puzzle” was an actuarial analysis for the new benefit. The legislature decided early on not to give HCA additional funding until they came up with a program that clarified the need for more state funds.

With considerable encouragement from WSHPCO, the HCA applied with the National Academy for State Health Policy (NASHP), supported by The John A. Hartford Foundation, to participate in its 2023-2025 State Policy Institute to Improve Care for People with Serious Illness! **Washington was one of the 6 states accepted into the program!**

Bills of High Interest....

SHB 1435 Developing a home care safety net assessment. Requires consumer-directed employers and in-home services agencies to submit specified financial information to DOH to inform the development of a home care safety net assessment to secure federal matching funds under the state's Medicaid plan. Establishes the Home Care Safety Net Assessment Work Group to develop the home care safety net assessment proposal.

SB 5499 Concerning the multistate nurse licensure compact. Requires hospitals, establishments, ambulatory surgical facilities, nursing homes, assisted living facilities, hospice care centers, adult family homes, and nursing pools, subject to enforcement by DOH, to report to the board of nursing within 30 days of employment, nurses holding a multistate license issued by a state other than WA.

ESHB 1547 - Increasing the health care workforce by authorizing out-of-state providers to practice immediately. Creates an expedited temporary practice permit process for registered nurses, advanced registered nurse practitioners, and licensed practical nurses, who are licensed in Alaska, California, Idaho, or Oregon, to practice in Washington.

E2SHB 1694 Home care workforce shortage

- Expands timelines and testing opportunities for long-term care workers seeking certification as a home care aide.
- Expands the list of family members who are exempt from having to become home care aides and reduces the training requirements for these caregivers.
- Exempts certain home care aides and nursing assistants whose licensing credentials have expired from paying late fees or renewal fees.
- Directs the Department of Social and Health Services (DSHS) to study the feasibility and cost of paying the parents of medically complex children under 18 years old and the spouses or registered domestic partners of a person with complex medical needs.
- Directs the DSHS to report annually on long-term care workforce data trends

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Department of Health (DOH)

Secretary of Health Mask Order: Effective April 3, 2023, the Washington State Department of Health (DOH) **will end** the [Secretary of Health mask order](#), which currently requires universal masking in healthcare, long-term care, and adult correctional facilities for people age 5 and older. Please see article below for further information.

[Masking requirements in healthcare, long-term care, and correctional facilities to end April 3 | Washington State Department of Health](#)

Update the Interim Recommendations for SARS-CoV-2 Infection Prevention and Control in Healthcare Settings: On April 3rd, updates will be found at this web page: [DOH COVID-19 Infection Prevention in Healthcare Settings](#). DOH is holding a webinar on April 6th, 2023 to review DOH healthcare guidance updates. After the changes are presented, there will be time for a Q&A session. A follow-up webinar is scheduled for April 20th to review Frequently Asked Questions and additional SME presentations related to the updated guidance. Please tune in on **Thursday, April 6, 2023 from 10am-12pm and Thursday April 20th, 2023 from 10am-1130am**. Use the link below to register for both webinars. You may also contact HAI-COVID@doh.wa.gov with questions. https://us02web.zoom.us/webinar/register/WN_aOhRSA38RXm-m4wgK2Bd9g

Policy Related Meetings

WA State Senior Lobby: I represent all three In-Home Services associations at these meetings. I was asked to do a presentation on “What is Hospice and Palliative?” based on the interest in former President Jimmy Carter being in Hospice Care.

Dementia Action Collaborative: I have attended a number of meetings with the full DAC and the subcommittee on Health and Medical. I advocate for them including home care, home health, palliative and end-of -life care in their ongoing development of the new Updated Dementia State Health Plan.