

March 8, 2021

WAHCA March 2021 Public Policy Report

Prepared by Leslie Emerick, Lobbyist



Senate Floor Action

House of Representative Floor Action

Legislative Overview

We are halfway through the 2021 Legislative Session with the final day of session being April 25th, 2021. Since the bill cut-offs, both the House and Senate have been voting on bills on the floor. It has been quite interesting to watch how the hybrid “virtual” session is playing out. As you can see above, the Lt. Governor Denny Heck presides over the Senate and he and his staff are masked and separated by plastic petitions as is Rep Jon Lovick who is presiding over the House. Legislators are attending both in person and virtually which makes for some interesting screen shots! I think Senator Darneille (above) may get the creativity award!

The big policy bill cut-off was February 15 for bills to be heard in a policy committee and bills with a fiscal note was February 22 in the fiscal committees. The bills that passed moved to the Rules committee where the political parties have the most influence on what bills get pulled to the floor for a vote. The next big bill cut-off is March 9th where a bill must be voted out of the “House of Origin” to keep moving. The bills that do not get a vote out of their respective committees of pass the House of Origin will die for this legislative session. Since WA State has a biennial legislative session, bills that die for this session may be back next year. Some bills are also considered “Necessary to Implement the Budget” and may come back before the end of session during budget negotiations.

So far, 1,300 bills have been introduced this session, but about 300 of them are Resolutions and Appointments to Commissions, so about 1,000 policy bills... which is far less than a regular long session! Between both chambers, 463 bills passed out of policy committees before the Monday cutoff. House policy committees passed 216 total bills and Senate committees passed 247 total bills. Democrats, who control both houses and the Governor’s office say these bills will focus on COVID recovery, climate change, health care, equity, housing and police accountability

And some bills have already been signed by the Governor...mainly related to COVID-19 funding and avoiding Unemployment Insurance rate hikes due to the high number of people applying for funds and the fraudulent claims that the agency endured as the federal relief dollars rolled in...

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Gov. Inslee signs \$2.2 billion COVID relief bill: [House Bill 1368](#), which appropriates \$2.2 billion in federal funding that has been allocated to states in response to the ongoing COVID emergency. The business assistance grants will be administered by the state Department of Commerce. Commerce is working on the application portal and expects it to open late March. The legislation takes effect immediately. The bill provides assistance for K-12 schools, public health's response to COVID, including testing, investigation and contact tracing; and funding for vaccination efforts, emergency eviction, rental and utility assistance, business assistance grants, childcare, food banks and other food programs and income assistance.

Other bills of interest signed by the Governor so far:

[ESSB 5061](#)-Relating to unemployment insurance. Limits huge unemployment insurance rate increases due to high levels of unemployment and fraudulent claims which depleted the funds.

[HB 1367](#)-Relating to revising 2019-2021 fiscal biennium appropriations of state and federal funding for previously implemented Medicaid rates and other Medicaid expenditures in the developmental disabilities and long-term care programs in response to the COVID-19 pandemic.

[SHB 1095](#)-Relating to the taxation of governmental financial assistance programs addressing the impacts of conditions giving rise to a gubernatorial or presidential emergency proclamation by creating state business and occupation tax and state public utility tax exemptions, a sales and use tax exemption for the receipt of such financial assistance and clarifying the sales and use tax obligations for goods and services purchased by recipients of such financial assistance.

[SJM 8402](#) - Extending certain gubernatorial orders issued in response to the COVID-19 state of emergency. Many of these are LTC proclamations extended until the end of the emergency.

Budget Negotiations: There are several different budget bills related to tax increases to fund foundational public health, childcare and other priorities. One is a capital gains tax on high income earners stocks and bonds, which passed the Senate this weekend, one is a sweetener (soda) tax, and one charges health care commercial insurers for every covered person. There's good article in Governing magazine about how public health in WA State has been underfunded for many years: <https://www.governing.com/finance/Pandemic-Reinforces-Washingtons-Need-for-Public-Health-Funding.html>. Budget negotiations have already started but will kick into high gear when the state revenue forecast comes out March 17th. And we will know more about federal COVID relief bill which is expected to bring in nearly \$4.3 billion dollars into WA state!

COVID-19 Information

We are passing the one-year anniversary of the COVID-19 being found in Washington state. Statewide totals from the illness caused by the coronavirus are 341,441 cases and over 5,000 deaths. Much of my time over the past year has been spend working with the state DOH and King County to help expand access to care for in-home services agencies, assuring practitioners have access to

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PPE and fit testing. I attend the DOH Vaccine Partners meeting, and they reported that much more vaccine is heading to Washington state soon, including the newly approved Johnson and Johnson vaccine. They are working on multiple pathways to get the vaccine out into our communities, include mobile vaccinations for home bound patients or those with difficulty traveling. The state has sent up large vaccination events in regions around the state. We were also part of the soft launch of www.findyourphasewa.com, which is fully operational now.

COVID-19 Data Dashboard: <https://www.doh.wa.gov/Emergencies/COVID19/DataDashboard>

Tracking PPE Distribution Dashboard: <https://coronavirus.wa.gov/what-you-need-know/personal-protective-equipment/tracking-ppe-distribution>

Department of Health (DOH)

Department of Health Vaccine Updates:

<https://www.doh.wa.gov/Emergencies/COVID19/Vaccine>, Find [COVID-19 vaccine information for health care providers](#).

Nursing Care Quality Assurance Commission Telemedicine Training Update: The NCQAC finally released their guidance for the telemedicine training impacting nurses licensed under the commission. The final date is later than the “Secretary” Professions that are not under a board or commission. The Nursing Care Quality Assurance Commission (NCQAC) recommends telemedicine training be completed as soon as possible as a demonstration of competency. The licensed nurse (RN, LPN, or ARNP) providing telemedicine clinical services licensed prior to January 1, 2021 will need to complete telemedicine training by December 31, 2021.

NCQAC filed Rules on February 8, 2021 a CR-101, Preproposal for chapter 246-841 WAC, excluding WAC 246-841-520, 246-841-720, and 246-841-990; and chapter 246-842 WAC,

Nursing Assistants: The NCQAC is considering amending nursing assistant standards to eliminate duplication, update competencies, and revise program requirements. The NCQAC may also consider adopting new sections of rule as necessary and the repeal of chapter 246-842 WAC. The CR-101 Preproposal announces to the public that rule change language will be considered by the NCQAC. Public workshops to receive input from interested parties on the rules will be scheduled. In 2018, the NCQAC was required by the Legislature to work with key interested parties to assess the need for nurses, including nursing assistants in long-term care settings and to make recommendations. The work was done from 2018-2020 and confirmed the need to update the rules. The coronavirus disease 2019 (COVID-19) pandemic magnified the need and urgency for changes to the rules. The changes may eliminate barriers to career advancement for nursing assistants to help address the nursing assistant shortage in healthcare.

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Specifically, the NCQAC is considering: (1) Repealing chapter 246-842 WAC. Chapters 246-841 and 246-842 WAC are similar. Repealing Chapter 246-842 WAC may eliminate unnecessary redundancy, which creates confusion about requirements. Any requirements that may need to be retained could be moved to chapter 246-841 WAC; (2) Updating the rules overall to reflect the most current standards and practice, clarifying and updating curriculum and testing requirements for training programs, and eliminating barriers to career advancement for nursing assistants to help address the nursing assistant shortage in healthcare; and (3) Standardizing the scope of practice for nursing assistants as allowed by law. The scope of practice for nursing assistants varies depending on the work setting. NCQAC believes standardizing the scope of practice across work settings could eliminate confusion.

WAC 246-841-520, 246-841-720, and 246-841-990 are excluded from this review because these sections are not under the exclusive rulemaking authority of NCQAC. Also, amendments to these sections are not currently needed to achieve the goals of this review. For more information, please contact: Shad Bell (Shad.Bell@doh.wa.gov), Assistant Director of Operations, NCQAC

[PREP Act Authorization](#) for Health Care Workers with Expired or Inactive Licenses to Administer COVID-19 Vaccines: To participate, health care workers must register at: <https://www.waserv.org>. Step-by-step instructions to register: <https://www.doh.wa.gov/Emergencies/COVID19/HealthcareProviders>.

DOH and LNI's Fit Testing Training Webinars: Beginning in January 2021, facilities and agencies in all counties in Washington State are eligible for no-cost fit testing through funding provided by the Department of Health. Eligible facility and agency types are:

- Assisted Living Facilities
- Skilled Nursing Facilities/Nursing Homes
- Adult Family Homes
- Supported Living Agencies
- Home Care Agencies
- Home Health Agencies
- Hospice Agencies

Each county has been assigned a fit testing provider who is participating in the DOH N95 Fit Testing Project. Appointments for fit testing with these providers will begin after February 1st. To access this program, facilities should contact the fit testing provider assigned to their county directly. To find the provider assigned to your county, please review the chart or map below. If your county is not listed below, please contact DOH (carolyn.ham@doh.wa.gov). To request Consultation from LNI <https://www.lni.wa.gov/safety-health/preventing-injuries-illnesses/request-consultation/>

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Palliative Care Roadmap Still Available!! Pat Justis has located funds for a third printing of the PC Roadmap that are available until the end of March so please place your orders soon! It's posted on [DOH Rural Health webpage](#), as well as the [WA Rural Palliative Care Initiative portal](#) To order: <https://prtonline.myprintdesk.net/DSF/>

Palliative Care-Rural Health Integration Advisory Team (PC-RHIAT): I attended the Rural Health Palliative Care initiative on March 3, 2021 and brought up the need for more information on dementia patients and palliative care resources on the portal. For more information on their efforts go to: <https://waportal.org/partners/home/washington-rural-palliative-care-initiative>

Public Policy

Dementia Action Collaborative Subcommittee on Care Transitions: I am part of a workgroup that is working on how to get Dementia patients out of hospitals and into the appropriate care settings. This will include working with caregivers and their primary care providers. There is a lot of interest in providing palliative care to this group as well. We are researching information on existing care transition models and toolkits that we may be able to adapt.

Virtual In-Home Services Days February 22-29: I also facilitated an In-Home Services Day on February 16th with Agencies that are in SW Washington. I provide an hour-long orientation prior to the meeting. Community Home Health and Hospice and PeaceHealth participated with six legislators. We reviewed our legislative agenda and how COVID-19 impacted their agencies.

I also provided an Orientation for members in other areas of the state on February 19th.

Recording of In-Home Services Week Orientation:

https://us02web.zoom.us/rec/share/I7qbokvFk24z5x2r5cibvB8JCxPAEZJ34_acrPVQePRjuwuUX8o9C68u2YYI1VXs.Qam6NPD1xCvYBffy?startTime=1613757854000

Passcode: .+KhV3y2

Washington State In-Home Services Advocacy Registration Form:

<https://www.hcoa.org/walobbydayform-344701.html>

Your message that is sent to legislators is requesting a Virtual meeting with them in the near future. Many of their legislative assistants will send you back options for a date and time for a virtual call. Please schedule the meeting with them and let me know when it is. If they are unable to meet with you or with their legislative assistant, thank them and send out the 2021 In-Home Services Legislative Agenda (song sheet) attached! Feel free to use the attached PowerPoint in your virtual calls by sharing the screen with your legislator. It's very helpful to walk through the information. I know this year is quite challenging and hopefully we get back to our normal advocacy day next year, meanwhile, please enjoy your meetings with your legislators and let me know how it goes!



In-Home Services
Legislative Days PP.ppt



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