



December 2, 2020

Senator Andy Billig, Senate Democrat Leader  
Senator Mark Schoesler, Senate Republican Leader  
Representative Laurie Jinkins, Speaker of the House  
Representative JT Wilcox, House Republican Leader

Dear Senator Billig, Senator Schoesler, Representative Jinkins, and Representative Wilcox:

We write to you today regarding the long term care waivers set to expire on December 7. As the COVID-19 cases continue to rise to record highs in the community, we are sadly again seeing long term care outbreaks all over the state. As of December 1, 400 long term care facilities have confirmed COVID activity, and over 20 more facilities have suspected COVID case activity. As a result of these outbreaks, Governor Inslee increased restrictions on visitations. Additionally, some Local Health Jurisdictions are also imposing heightened restrictions on long term care communities in their counties. Given the current restrictions, the waivers discussed below remain critically important and we ask your support in extending them.

### **Safe Start for LTC**

Over the last month, stakeholders have worked together with DSHS to update the Safe Start Guidelines for LTC to accommodate residents' needs for indoor visitation, particularly now during the winter months. While it was challenging to find the right balance, some recommendations were made that maintain the highest priority to keep residents safe, mitigating opportunities for spread of the virus, and yet allowing more opportunities for safe visitation. The updated content is completed and almost ready to be published. However, RCS has decided to hold on releasing the document, in light of the Governor's most recent orders. It is unknown whether the Governor will extend the restrictions or issue new guidance come December 14, the scheduled expiration date. Whenever the outbreaks reach a manageable point, where providers can further expand indoor visitation, the updated safe start plan for LTC will be a valuable guide for providers.

### **Workforce Waivers (20-32, 20-65, and 20-66)**

As the LTC outbreaks continue to rise, our staffing challenges are only getting worse. Providers all over the state are reporting severe staffing shortages. In one case, residents were evacuated from their community because there simply were not enough remaining staff to meet the care needs of residents. Staff that remain COVID-free are exhausted and overwhelmed. Staffing has gotten so difficult that RCS is implementing staffing rapid response teams that will be available as early as next week. These rapid response teams will be triaged to the facilities most in need and dispatched accordingly. The response teams may also provide respite for facility staff, should there be downtime or a break in the need for emergency staffing. We appreciate the quick approval of CARES Act funding to support the rapid response teams and the work RCS has done to quickly implement this much needed program.

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Page 2

While emergency staffing needs are being addressed, we simply cannot afford to lose any of our current workforce. We support the DSHS recommendation to extend workforce waivers by six months. We are working with DSHS and the Department of Health in drafting legislation that will be necessary to address workforce licensure and certification challenges. This is a very high priority for our organizations.

**Certificate of Need, Construction Review**

We also support the DSHS recommendation for a six-month extension on the certificate of need and construction review requirements. There is still a great need to maintain flexibility and to provide easy ability for providers to add beds and utilize alternative spaces to care for COVID-positive individuals. These options are made possible through proclamation 20-65.

Thank you in advance for your consideration. Should you have any questions, please don't hesitate to let us know.

Sincerely,



Deb Murphy, MPA, JD  
Chief Executive Officer  
LeadingAge Washington



Robin Dale, JD  
Chief Executive Officer  
Washington Health Care Association