



## Week 3

We have just reached the end of week 3 of the 2021 legislative session.

### Budget

[HB 1275](#) - **Concerning nursing facility Medicaid rate rebasing, inflation, and case mix.** This bill would place annual rebasing and annual inflation in statute, it also makes it possible for the department to move from a RUGs IV based casemix system to a PDPM based casemix system. This bill had its first public hearing this week on the 26th. We testified in support of this bill; however, we also urged the committee to invest additional funding so we can better compete for nurses and CNAs and close the gap in chronic Medicaid underfunding.

We currently have an advocacy campaign running for you to voice your support for this legislation! You can find this advocacy on our [Action Center](#).

[SB 5311](#) - **Adjusting the skilled nursing Medicaid rate methodology.** This bill changes the inflation factor that is applied to the DC and IDC medians as part of the Medicaid rate calculation. It would utilize the higher CPI in the medical expenditure category of nursing homes and adult day services for the first year of the biennium, then shift back to the CPI all category. This bill has its first public hearing on Monday Feb 1. We have met with Sen. Rivers, the prime sponsor of this bill, and requested that along with the inflation factor change, she also include the annual rebase that is included in HB 1275. She was amenable to this and her staff will be working to amend the bill to include annual rebasing.

[HB 1367](#) & [SB 5343](#) - **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.** These are companion bills. These bills would swap money spent from the CARES act with money designated through the enhanced federal match (FMAP). For LTC, when the state originally instituted COVID-19 add-ons, as well as retainer payments, they did this utilizing the enhanced FMAP. Beginning July 1, 2020, the state switched to using CARES act funding. We are still waiting to hear if this will have any impact on the current COVID-19 add-ons and retainer payments. We have been assured that the current rate add-ons will continue through June 30, 2021 so we will ensure the bill language supports this intent.

## Policy

### LeadingAge Washington Priority Policy Bills

[SB 5294](#) - **Concerning the creation of statewide epidemic preparedness and response guidelines for long-term care facilities.** The bill passed out of committee with minor amendments that will push the date of the final report to be released July 1, 2022. DOH will also develop a report on epidemic preparedness and response for long term care facilities, in addition to the guidelines.

[SB 5247](#) - **Concerning the multistate nurse licensure compact.** No hearing has been scheduled for this bill but we continue to work with stakeholders on advocacy efforts. Please watch for opportunities to advocate next week.

[HB 1120](#) - **Concerning state of emergency operations impacting long-term services and supports.** This bill did pass out of committee with an amendment that only allows the temporary rulemaking to be effective during a state of emergency. The concern is that the amendment does not allow the department to take care of the training backlog once the state of emergency ends. Legislators are aware of this and working on a correcting amendment.

### Support

[SB 5169](#) - **Concerning provider reimbursement for personal protective equipment during the state of emergency related to COVID-19.** This bill was passed out of committee.

[SB 5191](#) - **Regulating unfair business practices and prohibiting predatory price increases during states of emergency.** No hearing has been scheduled

[HB 1124](#) - **Concerning nurse delegation of glucose monitoring, glucose testing, and insulin injections.** This bill was passed out of committee.

### Oppose

[HB 1218](#) - **Improving health, safety, and quality of life for residents in long-term care facilities.** The first public hearing was on Jan 27<sup>th</sup> with testimony from LeadingAge and our very own board member, Dave Foltz. We've had multiple stakeholder meetings to try and get to a place of compromise and we are not there yet. The bill sponsor, Rep. Bateman, has asked us to try and reach an agreement by end of next week. We have two meetings scheduled this Tuesday and Thursday to continue discussions.

[SB 5139](#) - **Limiting rent increases after expiration of the governor's eviction moratorium.** This bill was scheduled for executive session on Jan 28<sup>th</sup>. This prime sponsor of the bill, Sen. Das, is expected to offer an amendment to her bill that will exempt assisted living communities and CCRCs. After the committee went to caucus, the bill was pulled and no action was taken. There were a number of amendments offered to the bill and we believe that one or more of the other amendments needed additional work which caused the bill to be held. We will continue to monitor for any movement.

[SB 5160](#) - **Addressing landlord-tenant relations by providing certain tenant protections during and after public health emergencies, providing for legal representation in eviction cases, and authorizing landlord access to state rental assistance programs.** This bill is waiting to be scheduled for executive action. Once it is, we do have an amendment that we believe will be offered by the prime sponsor, Sen. Kuderer, to exclude long term care.

[SB 5115](#) - **Establishing health emergency labor standards.** This bill is waiting to be scheduled for executive action.

[HB 1073](#) - **Expanding coverage of the paid family and medical leave program.** Scheduled for executive action on February 5<sup>th</sup>

[HB 1097](#) - **Increasing worker protections.** Scheduled for executive action on February 3<sup>rd</sup>

[SB 5190](#) - **Providing health care workers with presumptive benefits during a public health emergency.** This bill is waiting to be scheduled for executive action.

You can find a more detailed description of each of these bills in Week 1 [write-up](#).

As a reminder the first cutoff date of the session will be **February 15th**. This will be the last day to pass bills out of policy committees and read them into the record on the floor in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees.

Sincerely,

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