



Week 5

This year much of our funding advocacy has centered on workforce and improving Medicaid rates. For years, our long-term care settings have experienced a significant workforce shortage and inadequate Medicaid funding is, to some extent, the cause. Since COVID our workforce struggles have only gotten worse. Carma Matti-Jackson has created two great presentations on [Long-Term Care's Direct Care Workforce](#) and the [COVID-19 Pandemic](#). Both are very informative and helpful advocacy materials that highlight these struggles. We, ourselves, have relied on the findings in these reports to underpin our claims and create the nexus between workforce and funding. You can find a recorded narration of both presentations [here](#).

Budget

[HB 1368](#)- Responding to the COVID-19 pandemic through state actions supported by federal funding. This bill works in conjunction with HB 1367. HB 1367 is the bill that swaps CARES Act funds with enhanced federal match funds. HB 1368 appropriates those funds. The COVID rate add-ons and retainer payments that providers have received will now come from enhanced federal match funds. The bill also extends these add-ons and retainer payments through June. HB 1367 & HB 1368 have both passed the House as well as the Senate. They will now go to the Governor for his signature.

[SB 5451](#)- Making 2021-2023 fiscal biennium operating appropriations and 2019-2021 fiscal biennium second supplemental operating appropriations. Senator Wilson, Ranking Member of the Senate Ways & Means Committee, has introduced this proposed Republican biennial and supplemental budget. Included in this version of the biennial budget are annual rebasing and annual inflation for skilled nursing facilities. Other than that, it doesn't contain any other increases for long-term care. Overall, it includes about \$130 million less than the Governor's proposed budget for long-term care. This will not be the final budget that the Senate votes on, indeed, it is uncertain as to whether this bill will even be scheduled for public hearing. It is unlikely to move. We continue to work with a number of key legislators on rate increases for assisted living and skilled nursing providers and are hopeful that they will be included in the Senate chair's budget.

[SB 5311](#)- Adjusting the skilled nursing Medicaid rate methodology. We were happy to report that this bill passed out of the policy committee last Friday and are waiting for it to be heard in the Senate Ways & Means Committee. This bill puts annual rebasing and annual inflation in statute and utilizes the higher CPI-urban SNF inflation for the first year of the biennium.

[HB 1275](#)- Concerning nursing facility Medicaid rate rebasing, inflation, and case mix. This bill is still waiting for a vote in the House Appropriations Committee. This bill puts annual rebasing and annual inflation in statute and would allow DSHS to utilize PDPM for casemix in the future. This is the DSHS requested legislation.

Policy

LeadingAge Washington Priority Policy Bills

[SB 5294](#) - **Concerning the creation of statewide epidemic preparedness and response guidelines for long-term care facilities.** LeadingAge Washington testified in the Ways & Means Committee hearing this week in favor of the bill, urging the committee's support for the much-needed work outlined in the bill. The bill is scheduled for executive action on Monday. We are very pleased this bill is moving along quickly.

[SB 5247](#) - **Concerning the multistate nurse licensure compact.** No hearing has been scheduled for this bill, and with the first cutoff on Monday, it is unlikely this bill will go anywhere. We have been told that stakeholders have been unable to reach an agreement for it to move forward. We are incredibly disappointed that, yet again, we cannot make progress on our state joining the Nurse Licensure Compact.

[HB 1120](#) - **Concerning state of emergency operations impacting long-term services and supports.** This bill was passed out of the House and is waiting to be scheduled for its first public hearing in the Senate Health & Long Term Care Committee.

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 the Senate on a unanimous vote. It will now go to the House Health Care & Wellness Committee.

[SB 5191](#) - **Regulating unfair business practices and prohibiting predatory price increases during states of emergency.** The Substitute bill was passed out of the Senate Law & Justice Committee on Thursday. The substitute contains several changes, with the most significant being an increase in the threshold of an excessive price from 10% to 15% over the price as it existed prior to the state of emergency.

[HB 1124](#) - **Concerning nurse delegation of glucose monitoring, glucose testing, and insulin injections.** This bill was passed out of House and is waiting for a public hearing in the Senate Health & LTC Committee. As a reminder, if passed, it would allow CNAs in a nursing home to be delegated for glucose monitoring and testing.

[SB 5271](#) - **Amending the necessary elements of proof of injury during the state of emergency declared due to the COVID-19 pandemic.** This bill provides a method for determining the standard of care during the state of emergency in response to the COVID-19 pandemic. It would include some limited protections for skilled nursing facilities, and we believe these protections could extend to assisted living. The bill has passed out of the Senate Committee on Law & Justice and is waiting for a floor vote.

Oppose

[HB 1218](#) - **Improving health, safety, and quality of life for residents in long-term care facilities.** After multiple stakeholder meetings, we finally agreed on a substitute bill. We believe the bill is much improved and less burdensome on providers from where we started. We also think it reduced some of the duplicative language, which is already covered in rules. We may advocate for small changes once it gets to the Senate. The House did pass the bill out of committee on Wednesday, but after the fiscal note was introduced, it now has been referred to Appropriations. The bill, as amended, allows us to change our position from Opposed to Neutral.

[SB 5139](#) - **Limiting rent increases after expiration of the governor's eviction moratorium.** Twice this week, this bill was scheduled for an executive session, and both times, no action was taken. The Senate Committee on Housing & Local Government is not scheduled to meet again before the Monday cutoff. It is likely (fingers crossed) this bill will be dead after Monday.

[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 has been scheduled for a public hearing in the Senate Ways & Means Committee on Feb 16th.

[SB 5115](#) - **Establishing health emergency labor standards.** This bill has been scheduled for a public hearing in the Senate Labor, Commerce & Tribal Committee on Monday.

[HB 1073](#) - **Expanding coverage of the paid family and medical leave program.** Is waiting to be scheduled for a public hearing in House Appropriations.

[HB 1097](#) - **Increasing worker protections.** Is waiting to be scheduled for a public hearing in House Appropriations.

[SB 5190](#) - **Providing health care workers with presumptive benefits during a public health emergency.** This bill was passed out of committee and will be sent to Ways & Means.

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

With the first policy cutoff date on Monday and we expect a few more bills to pass out of committee on time. After Monday, the next cutoff date will be February 22nd, and it will be the last day to pass bills out of the fiscal committees.

Sincerely,

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