



forward



Advocacy News

Week 7

This week was a little slower in the number of bills that saw action due to limited committee meetings. After Monday's fiscal committee bill cut off, both chambers have been focused on floor action. This will continue to be the focus until March 9th, the last day to pass bills in the house of origin. I will only give updates this week on the bills that moved.

Budget

[HB 1095](#) - **Concerning 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.** This bill exempts any federal or state assistance revenue in response to COVID from state B&O tax, Public Utility Tax (PUT), and retail sales tax. Therefore, CARES dollars or any other COVID related funds are exempt. This bill passed both chambers unanimously and is now waiting for the Governor's signature. We expect, with the bill passing both chambers unanimously, the Governor will sign it into law.

[SB5311](#) and [HB1218](#) - We are still meeting with legislators regarding the various proposals that are still active in regard to Medicaid funding for skilled nursing facilities. Neither SB5311 nor HB1218 passed out of the fiscal committees by Monday's cutoff. Both are considered Necessary to Implement the Budget (NTIB) but likely wouldn't move until the very end of session at this point, if at all. Again, passage of the legislation isn't necessary to achieve the increase in funding requested, it can be accomplished through the budget itself.

We have also had positive meetings with legislators about assisted living funding and have a member from each chamber willing to submit budget language for our 2.5% rate increase proposal.

Policy

[SB 5271](#) - **Amending the necessary elements of proof of injury during the state of emergency declared due to the COVID-19 pandemic.** This bill was passed out of the Senate with a unanimous vote.

[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.** As expected, this bill passed out of committee with substantial changes. The bill no longer extends the eviction moratorium that's currently in place in the Governor's proclamation. The bill now only requires landlords to offer tenants a reasonable schedule for repayment of any unpaid rent accrued during the public health emergency that

does not exceed monthly payments equal to one-third of the monthly rental. Additionally, it expands eligibility for claim reimbursement under the landlord mitigation program to include unpaid rent.

While the Governor's proclamation is still in place restricting rent increases and evictions until March 31st. LeadingAge Washington has submitted a letter to the Governor's office asking for the proclamation to align with SB 5160 in the event it is extended.

[HB 1218](#) - **Improving health, safety, and quality of life for residents in long-term care facilities.** This bill passed out of the House with a vote of 95 yeas, and 2 nays, which signals strong bipartisan support. While LeadingAge WA has taken a neutral position on the bill now, we may still work to modify the Essential Support Person provisions in the Senate.

[ESB 5115](#) - **Establishing health emergency labor standards.**

This bill passed out of the Senate with an almost unanimous vote. After amendments, the provision in the bill now only applies during the COVID-19 pandemic. As written the bill;

- Creates an occupational disease presumption for frontline employees during a public health emergency for the purposes of workers' compensation.
- Requires employers to notify L&I when a certain percentage of their workforce becomes infected during a public health emergency.
- Requires employers to provide written notice to employees on the premises and their union of potential exposure to the infectious or contagious disease during a public health emergency.
- Prohibits discrimination against an employee who is at high risk for seeking accommodation that protects them from the disease or using all available leave options if no accommodation is reasonable.

It would cover all "Front Line Employees." Frontline employees would be your direct care employees and would include support staff such as maintenance workers. Two more amendments were adopted on the floor that would allow the presumption to be rebutted on a preponderance rather than on clear and convincing evidence. It also excuses smaller employers from the reporting requirements. LeadingAge Washington opposes this bill with the most concern on the occupational disease presumption.

[SB 5190](#) - **Providing health care workers with presumptive benefits during a public health emergency.** This bill was passed out of the Senate yesterday. Similarly to 5115, it would provide presumptive workers' compensation coverage for health care employees who are in quarantine or contract the disease that is the subject of a public health emergency. Unlike 5115, it would apply to any public health emergency, not just COVID 19. It also more narrowly covers health care works and not all "front line employees." LeadingAge Washington strongly opposes this bill.

Currently, these two bills are inconsistent with each other, so we expect further amendments.

[HB 1073](#) - **Expanding coverage of the paid family and medical leave program.** This bill was passed out of the Appropriations committee on Monday.

Sincerely,

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