



Residents News-Mail

WACCRA's LEGISLATIVE PROGRAM

2021 Update

June 17, 2021

The WACCRA Board of Directors is delighted to share the results of our 2021 Legislative Program. Most of you know that WACCRA's mission is to educate, collaborate, and advocate for seniors. When we work with the Legislature, we definitely meet our mission.

Due to Covid 19, the 2021 Washington State Legislation Session was especially focused on the healthcare of and protective services for seniors. While WACCRA did not sponsor its own legislation this session, WACCRA worked collaboratively with like-minded organizations to advocate for legislation we think is good for seniors -- whether they reside in a CCRC or elsewhere. We educated our members so they could lobby on behalf of important issues, and, in turn, we educated legislators so they would understand our viewpoints and concerns. Below is a listing of the bills and budget items we actively supported. A number of them, as noted, have now been passed into law. If you are interested in reading more about any of these bills, click on the links provided.

The WACCRA Board thanks all of our members who stepped up with phone calls, letters, and emails to Washington legislators. We also extend our thanks to all the Washington State officials and the dedicated staff who work hard to protect and support seniors.

Donna Kristaponis
WACCRA President

Board Members

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POLICY BILLS

House Bill 1218 – Improving health, safety, and quality of life for residents in long-term care facilities (Rep. Jessica Bateman, 20th District, Olympia)

Residents in long-term care have been disproportionately impacted by the COVID-19 pandemic. The new law directs the Departments of Health and Social and Health Services to develop a report and guidelines on epidemic disease preparedness and response for long-term care facilities. The bill requires long-term care facilities to be responsive to incoming communications with the public and accommodate resident access to communication equipment. They must maintain a current resident roster and contact information about each resident and any resident representatives. HB 1218 directs the Department of Social and Health Services to develop training materials to educate local health jurisdictions about the state's long-term care system and the rights of residents. The bill also includes provisions that provide residents of long-term care facilities the right to visitation by an essential support person during times when resident visitation is limited. Signed into law May 3, 2021.

[Read about HB 1218](#)

House Bill 1120 - Concerning state of emergency operations impacting long-term services and supports (Rep. Steve Tharinger, 24th District, Sequim)

Washington's long-term care facilities and long-term care continuum rely on a qualified and well-trained professional workforce. These are some of the most important essential workers in the COVID-19 pandemic. The COVID-19 pandemic interrupted the operations of facilities and home-based care all across the State. HB 1120 provides flexibility with training requirements, inspection periods, training requirements, long-term care worker licensing requirements, and nursing requirements. The bill also provides more flexibility with the background check process, which is necessary because COVID-19 closed or limited the businesses that perform the checks. HB 1120 requires the Department of Social and Health services to adopt rules regarding long-term

care workers employed on a conditional basis pending the completion of a background check. The bill also allows DSHS to adopt rules if a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete required training, allowing additional time to complete the training. Signed into law May 10, 2021. [Read about HB 1120](#)

House Bill 1141 - Increasing access to the death with dignity act (Rep. Skyler Rude, 16th District, Walla Walla)

In 2008, voters approved initiative 1000 which established The Death with Dignity Act. The Act allows terminally-ill adult Washington residents with six months or less to live to request medication they may self-administer to end their life. HB 1141 would have expanded who may be allowed to prescribe the medication under the Act. HB 1141 failed to be considered by the full Senate and died. [Read about HB 1141](#)

House Bill 1196 - (Companion to SB 5325) - Concerning audio-only telemedicine (Rep. Marcus Riccelli, 3rd District, Spokane)

The COVID-19 pandemic heightened the importance of telemedicine as most patients and their providers followed State guidelines to “Stay Home, Stay Healthy” and did their appointments using virtual platforms. A health plan must reimburse providers for health care services provided through telemedicine if the services are covered, medically necessary, essential health benefits under the federal Patient Protection and Affordable Care Act, services are determined to be safely and effectively provided according to generally accepted health care practices and standards and the technology meets state and federal standards governing the privacy and security of protected health information. HB 1196 requires reimbursement for audio-only telemedicine services. Signed into law May 3, 2021. [Read about HB 1196](#)

Senate Bill 5325 – (Companion to HB 1196) - Concerning audio-only telemedicine (Sen. Ron Muzzall, 10th District, Oak Harbor)

Under current state law, telemedicine reimbursement requirements related to BH-ASOs are applicable only to covered persons under 18 years of age. SB 5325 removes the age limitation on telemedicine reimbursement requirements applicable to behavioral health administrative services organizations. Signed into law April 16, 2021. [Read about SB 5325](#)

House Bill 1323 – Long-term services and supports trust (Rep. Steve Tharinger, 24th District, Sequim)

In 2019 the Long-Term Services and Supports Trust Program was enacted to provide long-term services and supports benefits to persons who have paid into the Trust for a specific amount of time and who have been assessed as needing

a certain amount of assistance with activities of daily living. HB 1323 amends the Trust Act and will require that self-employed persons who wish to elect coverage under the Long-Term Services and Supports Trust Program (Trust Program) exercise that option by January 1, 2025, or within three years of becoming self-employed for the first time.

Signed into law April 21, 2021. [Read about HB 1323](#)

Senate Bill 5010 - Prohibiting the use of credit scores to determine rates for personal lines of insurance (By request of the Office of the Insurance Commissioner and the Office of the Governor – Senator Mona Das, 47th District, Kent)

In Washington State, credit history may only be used to deny personal insurance in combination with other substantive underwriting factors. Research by the Center for Economic Justice found that Insurance credit scoring penalizes low-income and minority communities because the negative factors used in the insurance scoring models are biased against low-income and minority consumers and because the absence of credit information hurts a score as much or more than the presence of negative information.

SB 5010 would have prohibited the use of credit history in determining rates or premiums for personal insurance. Though the bill died in the Senate, in late March Insurance Commissioner Mike Kreidler filed emergency rules prohibiting insurers from using credit scoring to set rates for personal property insurance for three years. The insurance industry has filed suit against the emergency rules. An injunction request filed in the Thurston County Superior Court was denied. SB 5010 failed to be considered by the full Senate and died. [Read about SB 5010](#)

Senate Bill 5203 - Producing, distributing, and purchasing generic prescription drugs (Sen. Kevin Van De Wege, 24th District, Port Angeles)

The cost of prescription drugs has been a significant concern to lawmakers for many years as constituents report difficulties in meeting the price of medications.

SB 5203 will allow the Health Care Authority (HCA) to enter into partnerships with other states, state agencies, or nonprofit entities to produce, distribute, or purchase generic prescription drugs and purchase and distribute insulin. It also requires state purchased health care programs to purchase generic drugs and insulin through the partnership and allows other entities to purchase through the partnership voluntarily.

Signed into law May 12, 2021. [Read about SB 5203](#)

Senate Bill 5027 - Concerning closed captioning on televisions in places of public accommodation (Sen. Mike Padden, 4th District, Spokane Valley)

SB 5027 requires any person owning or managing a place of public

accommodation with a closed captioned television in a public area must activate the closed captioned programming.

Signed into law May 10, 2021. [Read about SB 5027](#)

Senate Bill 5258 – Consumer Directed Care (DSHS Request Legislation, Sen. Annette Cleveland, 49th District, Vancouver)

DSHS provides publicly funded personal care services to eligible clients who live in their own homes and are elderly or have developmental disabilities. In 2018 legislation was enacted to authorize the Department to establish a consumer directed employer (CDE) program. SB 5258 makes amendments to the 2018 statute by modifying the composition and voting standards for the consumer directed employer (CDE) rate-setting board in the event that the Department of Social and Health Services selects more than one CDE.

Signed into law May 3, 2021. [Read about SB 5258](#)

BUDGET ITEMS

Registration for Continuing Care Retirement Communities

Under the provisions of RCW 18.390.030, Application for Registration, Continuing Care Retirement Communities must register with the Department of Social and Health Services every two years. A payment must be included with the registration. Every two years in the biennial budget, the Legislature affirms the registration amount, which is based on the department's costs related to registering continuing care retirement communities. The 2021-2023 biennial registration has been set at \$900.00 for each facility.

Long-Term Care Residents - \$1,035,000

Funding is provided to implement Substitute House Bill 1218 which, in addition to other provisions, directs the Department of Social and Health Services to adopt rules governing long-term care providers' disaster preparedness plans and to develop training materials for local health jurisdictions.

Fall Prevention Training - \$50,000

Funding is provided in fiscal year 2022 for the Department of Social and Health Services to provide a one-time grant to an association representing long-term care facilities to develop and provide fall prevention training for the facilities. The training must include information about environmental modifications to help reduce falls, tools to assess an individual's risk for falling and evidence-based interventions for reducing falls amongst individuals with dementia or cognitive impairments.

Increase Funding for Long-Term Care Ombuds - \$400,000

Funding is provided in fiscal year 2022 to increase capacity for the Long-Term

Care Ombuds program operations.

Community-Based Dementia Education and Supports - \$1,500,000

Funding is provided for community-based dementia education and support activities in two areas of the state, including dementia resources catalyst staff and direct services. In addition, DSHS shall contract with an organization to provide educational materials, legal services and attorney training to support people with dementia.

Volunteer Services Program - \$3,715,000

Biennial funding is provided for operation of the volunteer services program, prioritizing populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

Monica Clement
WACCRA Communications Chair

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