

# HOUSE BILL REPORT

## HB 2709

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As Reported By House Committee On:  
Health Care

**Title:** An act relating to the long-term care partnership program.

**Brief Description:** Modifying the implementation date of the long-term care partnership program.

**Sponsors:** Representative Dyer.

**Brief History:**

Reported by House Committee on:  
Health Care, February 4, 1994, DPS.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Dellwo, Chair; L. Johnson, Vice Chair; Dyer, Ranking Minority Member; Backlund; Conway; Cooke; Flemming; R. Johnson; Lemmon; Morris; Thibaudeau and Veloria.

**Staff:** Antonio Sanchez (786-7383).

**Background:** The long-term care partnership program was part of the Washington State Health Care Reform Act of 1993. Under this program the Department of Social and Health Services is given the authority to establish and coordinate a pilot long-term care insurance program referred to as the Washington Long-term Care Partnership. Prior to the establishment of this public/private insurance program, the Department of Social and Health Services is required to seek a waiver of appropriate federal Medicaid regulations to allow for the protection of an individual's assets. If approved, the partnership program would allow individuals to purchase insurance to the specific amount that they want their asset protected. When individuals need long-term care, they will be able to access their benefits to the amount insured and not have to go through Medicaid spend down before they qualify for Medicaid services.

**Recent federal Medicaid estate recovery rules, (I.42. U.S.C. Chapter 1396p(a) and (b)), eliminated the states' ability to protect an individual's asset through the purchase of a**

public/private partnership insurance plan. As a result, states cannot receive the Medicaid waiver necessary for the public private partnership insurance program.

**Summary of Substitute Bill:** The Department of Social and Health Services is directed to pursue a federal Medicaid waiver for a public/private partnership insurance program only when the federal government enacts legislation that allows the state to disregard a portion of an individual's assets or resources in determining Medicaid eligibility.

**Substitute Bill Compared to Original Bill:** The substitute bill clarifies that the partnership program will only be developed when the federal government enacts legislation enabling states to disregard a portion of an individual's assets or resources in determining Medicaid eligibility.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** None.

**Testimony Against:** None.

**Witnesses:** None.