
SENATE BILL 5730

State of Washington

58th Legislature

2003 Regular Session

By Senators Deccio, Thibaudeau, Parlette, Rossi, Keiser and Winsley

Read first time 02/10/2003. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to eligibility for long-term care services under
2 the medical assistance program; adding new sections to chapter 74.39A
3 RCW; creating a new section; providing an effective date; and declaring
4 an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that access to
7 care for people who need long-term care services is in jeopardy because
8 of the difficulty in providing public funds to finance the medical
9 assistance program. It also finds that eligibility policy for the
10 medical assistance program, for people needing long-term care services,
11 has evolved in such a way that it provides eligibility to some people
12 who have the ability to pay for the care they need from their own
13 resources.

14 (2) It is the intent of the legislature that eligibility for
15 medical assistance, for the provision of long-term care services, be
16 limited to people who do not have the ability to pay for the care they
17 need, and that eligibility for medical assistance be set at the minimum
18 threshold, with regard to assets, required for participation in the
19 federal medicaid program under Title XIX of the social security act.

1 It is also the intent of the legislature to establish a process for
2 offering information and referral to private sector financing
3 mechanisms that will allow people to draw upon their fixed assets to
4 finance their long-term care service needs. It is the further intent
5 of the legislature that by taking these measures, eligibility for the
6 medical assistance program will be reserved for the people in greatest
7 financial need, and that we will be better able to afford to provide
8 good quality care to those who are eligible.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.39A RCW
10 to read as follows:

11 (1) The department is directed to conform its medical assistance
12 eligibility requirements, for those who commence to receive long-term
13 care services on or after July 1, 2004, to the minimum level permitted
14 by Title XIX of the social security act with regard to any exemptions
15 for assets.

16 (2) The department is directed to periodically review, and adjust
17 as necessary, its eligibility requirements to counteract the effects of
18 anyone attempting to obtain eligibility by concealing or divesting
19 assets or income.

20 (3) The department is directed to seek waivers from the federal
21 government from requirements that the state exempt from eligibility
22 determination the value of an applicant's home or other real estate.

23 (4) The department is directed to report to the legislature
24 regarding federal actions on the requested waivers, and to identify any
25 changes in federal statutes required to carry out the intent of this
26 act.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.39A RCW
28 to read as follows:

29 The department is directed to establish an information and referral
30 process, for people seeking medical assistance for long-term care
31 services who appear to have sufficient assets in the form of a home, to
32 financial institutions that can arrange a home equity conversion
33 mortgage designed by the United States department of housing and urban
34 development and insured by the federal housing administration.

1 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 July 1, 2003.

--- END ---