

# SENATE BILL REPORT

## SB 6190

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As Reported By Senate Committee On:  
Health & Long-Term Care, January 19, 2006

**Title:** An act relating to establishing a pilot project to assist independent providers with collecting community options program entry system client participation money.

**Brief Description:** Establishing a COPES pilot project.

**Sponsors:** Senators Keiser and Kline.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/11/06, 1/19/06 [DPS].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** That Substitute Senate Bill No. 6190 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Deccio, Ranking Minority Member; Benson, Franklin, Kastama, Kline and Poulsen.

**Staff:** Sharon Swanson (786-7447)

**Background:** Independent providers (IPs) provide in-home personal care through the Community Options Program Entry System (COPES) program. COPES clients with more than \$800.00 per month in income must pay a "participation" amount to their care provider. The state pays the majority of the cost of providing in-home personal care, but the client pays the participation amount directly to the care provider. The amount of participation varies based on hours of service and income of the client. IPs, as independent contractors, are responsible for collecting participation. Many clients are on fixed incomes and are unable or unwilling to pay the participation amount. When a client fails to pay, the IP is placed in the position of providing a service for which they are not fully compensated, creating a financial hardship.

**Summary of Substitute Bill:** A twelve month, one county pilot project, is established to assist independent providers with collection of client participation monies owed.

The Department of Social and Health Services (DSHS) contracts with a third party to act as a collection agent. DSHS establishes criteria to determine which IPs qualify for inclusion in the pilot project. The third party pays the IP their full wage less 5 percent, and then assumes responsibility for collecting the participation amount from the client.

DSHS reports to the Legislature the results of the pilot project, to include an analysis as to why participation amounts are not paid. The first report is due no later than December 1, 2006, and the final report is due no later than June 1, 2006.

**Substitute Bill Compared to Original Bill:** The substitute bill contains an appropriation of forty-nine thousand dollars and language that requires the Department of Social and Health Services to limit participation in the program to prevent any over expenditure of the appropriation. The original bill contained a 5 percent collection fee. The substitute bill removes that provision.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** July 1, 2007.

**Testimony For:** This legislation has many good points. First, the bill provides assistance for individual providers of home care in receiving payment for all the hours they work per month. Second, the bill will assist the DSHS in gathering data to determine why individual providers are not paid by their clients in the first place. It will help DSHS to determine if the problem is one of notice, low income, or an unwillingness to pay on the part of the client.

There is a concern that the 5 percent fee will have a chilling effect on enrollment in the collection program. Additionally, workers should not be required to pay to get paid.

**Testimony Against:** None.

**Who Testified:** PRO: Bill Moss, Department of Social and Health Services; Candace Inagi, Service Employees International Union, Local 775; Peter Nazzal, Catholic Community Services.