

---

ENGROSSED HOUSE BILL 2965

---

State of Washington

66th Legislature

2020 Regular Session

By Representatives Cody, Schmick, Riccelli, Bergquist, Callan, Dufault, Hudgins, Leavitt, Shewmake, Tharinger, Maycumber, Ramos, Ortiz-Self, and Stonier

Read first time 03/02/20.

1 AN ACT Relating to the state's response to the novel coronavirus;  
2 amending RCW 38.52.105; adding a new section to chapter 74.46 RCW;  
3 making appropriations; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The sum of one hundred million dollars is  
6 appropriated from the budget stabilization account for the fiscal  
7 year ending June 30, 2020, and is provided solely for expenditure  
8 into the disaster response account, from which it may be appropriated  
9 solely for state and local government and federally recognized  
10 tribes' response to the novel coronavirus pursuant to the  
11 gubernatorial declaration of emergency of February 29, 2020. For  
12 purposes of RCW 43.88.055(4), the appropriation in this section does  
13 not alter the requirement to balance in the ensuing biennium.

14 NEW SECTION. **Sec. 2.** The sum of one hundred million dollars is  
15 appropriated from the disaster response account to the office of  
16 financial management for the fiscal biennium ending June 30, 2021,  
17 and is provided solely for allotment to state agencies and for  
18 distribution to local governments and federally recognized tribes for  
19 response to the novel coronavirus pursuant to the gubernatorial

1 declaration of emergency of February 29, 2020. The appropriation in  
2 this section is subject to the following conditions and limitations:

3 (1) The office of financial management must provide monthly  
4 updates on spending from this appropriation to the fiscal committees  
5 of the legislature.

6 (2) Funding from this section may not be used to supplant  
7 existing federal, state, and local funds for services and activities  
8 that will assist in the response to the novel coronavirus.

9 (3) Agencies and local governments must demonstrate maximum use  
10 of available federal funds for novel coronavirus response and  
11 recovery efforts before seeking funding from this appropriation. If  
12 an agency or local government subsequently receives reimbursement  
13 from federal sources of amounts spent from the appropriation in this  
14 section, the agency or local government must remit the federal  
15 funding to the state treasurer for reimbursement to the budget  
16 stabilization account.

17 (4) By July 1, 2021, the office of financial management must  
18 certify to the state treasurer the amount of any unobligated moneys  
19 in the disaster response account that are attributable to the budget  
20 stabilization account appropriation in section 1 of this act, and the  
21 treasurer must transfer those moneys back to the budget stabilization  
22 account.

23 **Sec. 3.** RCW 38.52.105 and 2019 c 415 s 956 are each amended to  
24 read as follows:

25 The disaster response account is created in the state treasury.  
26 Moneys may be placed in the account from legislative appropriations  
27 and transfers, federal appropriations, or any other lawful source.  
28 Moneys in the account may be spent only after appropriation.  
29 Expenditures from the account may be used only for support of state  
30 agency and local government disaster response and recovery efforts,  
31 including response by state and local government and federally  
32 recognized tribes to the novel coronavirus pursuant to the  
33 gubernatorial declaration of emergency of February 29, 2020, and to  
34 reimburse the workers' compensation funds and self-insured employers  
35 under RCW 51.16.220. During the 2017-2019 and 2019-2021 fiscal  
36 biennia, expenditures from the disaster response account may be used  
37 for military department operations and to support wildland fire  
38 suppression preparedness, prevention, and restoration activities by  
39 state agencies and local governments. During the 2017-2019 and

1 2019-2021 fiscal biennia, the legislature may direct the treasurer to  
2 make transfers of moneys in the disaster response account to the  
3 state general fund. It is the intent of the legislature that these  
4 policies will be continued in subsequent fiscal biennia.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.46  
6 RCW to read as follows:

7 The department is authorized to determine nursing facility  
8 payments to adequately resource facilities responding to any state of  
9 emergency declared by the governor including the 2019 novel  
10 coronavirus outbreak. The medicaid payments provided to nursing  
11 facilities in response to such state of emergency shall be determined  
12 by the department as appropriate to address the immediate safety  
13 needs of Washington state citizens and shall not be subject to this  
14 chapter's medicaid methodology. Any nursing facility payment made  
15 under this section shall not be included in the calculation of the  
16 annual statewide weighted average nursing facility payment rate.

17 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of  
19 the state government and its existing public institutions, and takes  
20 effect immediately.

--- END ---