

# HOUSE BILL REPORT

## SHB 1288

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**As Passed House:**  
February 28, 2023

**Title:** An act relating to the department of veterans affairs regarding exempt staff and exempt staff appointments, removing reference to one-time use of funds, and exempting veteran discharge papers from public disclosure.

**Brief Description:** Concerning the department of veterans affairs.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Reeves, Ryu, Morgan and Graham; by request of Department of Veterans Affairs).

**Brief History:**

**Committee Activity:**

Innovation, Community & Economic Development, & Veterans: 1/25/23, 1/27/23 [DP];  
Appropriations: 2/9/23, 2/16/23 [DPS].

**Floor Activity:**

Passed House: 2/28/23, 97-0.

**Brief Summary of Substitute Bill**

- Requires the Director of the Washington Department of Veterans Affairs (WDVA) to appoint a director of nursing services for each state veterans home.
- Exempts certain WDVA personnel from the state civil service law.
- Repeals statutes relating to the Colony of the State Soldiers' Home and domiciliary care at state veterans homes.

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**HOUSE COMMITTEE ON INNOVATION, COMMUNITY & ECONOMIC DEVELOPMENT, & VETERANS**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass. Signed by 15 members: Representatives Ryu, Chair; Donaghy, Vice Chair; Rule, Vice Chair; Volz, Ranking Minority Member; Barnard, Assistant Ranking Minority Member; Chambers, Christian, Corry, Cortes, Paul, Senn, Shavers, Street, Waters and Ybarra.

**Staff:** Emily Poole (786-7106).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Stokesbary, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; Berg, Chopp, Connors, Couture, Davis, Dye, Fitzgibbon, Hansen, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Steele, Stonier and Tharinger.

**Staff:** Bryan Way (786-7311).

### **Background:**

#### Department of Veterans Affairs.

The Washington Department of Veterans Affairs (WDVA) provides many services and benefits to veterans and their families, including counseling, employment, education, training, burial, housing, medical care, and relief programs. The Director of the WDVA (Director) conducts, controls, and supervises the WDVA. The Director also holds the power to appoint and employ personnel for the WDVA, including assistants and executive staff.

#### State Civil Service Law.

State civil service law governs the appointment, promotion, transfer, layoff, removal, discipline, and welfare of most state agency employees. State civil service law applies to most state agency employees, unless expressly excluded. For example, civil service law does not apply to the legislative branch, the judiciary, academic personnel, state patrol officers, the chief executive officers of each agency, and certain other management staff.

In addition, a number of exempt positions are expressly designated for various state agencies. The following personnel in the WDVA are exempt: the Director, the Deputy Director, no more than two assistant directors, a confidential secretary for the Deputy Director, and a confidential secretary for each assistant director.

#### Veterans Homes.

The WDVA operates four state veterans homes: the Washington Veterans Home located in Port Orchard; the Washington Soldiers Home located in Orting; the Spokane Veterans Home located in Spokane; and the Walla Walla Veterans Home located in Walla Walla.

The Director is required to appoint an administrator to manage each veterans home. Each administrator must be licensed by the Department of Health (DOH) as a nursing home administrator. State veterans homes are authorized to provide both domiciliary and nursing care. The WDVA has previously operated a Domiciliary Program, but the program was discontinued in 2020.

The Colony of the State Soldiers' Home was originally established to provide a residence to veterans and their families who reside in the Orting school district and meet certain other requirements.

In 2001 the Legislature stated its intent that in authorizing the establishment of an eastern Washington veterans home, the State General Fund may not be used to provide support for the home except for amounts required to pay the state share of Medicaid costs.

#### Veterans Stewardship Account.

The Veterans Stewardship Account, established in 2005, may be used by the WDVA for activities that benefit veterans and their families, including but not limited to programs and services for homeless veterans, establishing memorials honoring veterans, and maintaining a future state veterans cemetery.

#### **Summary of Substitute Bill:**

##### Veterans Homes.

The Director of the WDVA is required to appoint a director of nursing services for each state veterans home. The director of nursing services in each state veterans home must be a registered nurse licensed in Washington.

The statute authorizing the state veterans homes to provide both domiciliary and nursing care is repealed.

Statutes establishing the Colony of the State Soldiers' Home, setting out admission requirements for the Colony of the State Soldiers' Home, and specifying that members of the Colony of the State Soldiers' Home are members of the state soldiers' home are repealed.

The statute stating the Legislature's intent that the State General Fund may not be used to support a veterans home in Eastern Washington is repealed.

### State Civil Service Law.

Administrators and directors of nursing services at each state veterans home are added to the list of personnel within the WDVA that are exempt from the state civil service law.

### Veterans Stewardship Account.

The Veterans Stewardship Account may be used by the WDVA to maintain state veterans cemeteries.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony (Innovation, Community & Economic Development, & Veterans):**

(In support) It is important to make sure veterans have access to services that are promised. This bill helps ensure stronger protections for veterans in veterans homes and helps ensure privacy by protecting their records from disclosure. The public disclosure requirements for veteran discharge papers should be aligned at the state and county level. Classifying veterans home administrators as not subject to the state civil service law will help with retention and recruitment. The WDVA helps connect veterans to benefits through its transitional housing program.

(Opposed) None.

### **Staff Summary of Public Testimony (Appropriations):**

(In support) The certificate of release or discharge from active duty exemption from public disclosure is the same in this bill at the state level as it is in counties currently. The Washington Department of Veterans Affairs does not create or house these documents. The director of nursing position is not new but is being moved to the executive management services for better recruitment and retention. The Colony of the State Soldiers' Home and Domiciliary programs have not been in place for several years and have been replaced by a transitional housing program that helps veterans transition back into their communities.

(Opposed) None.

### **Persons Testifying (Innovation, Community & Economic Development, & Veterans):**

Representative Kristine Reeves, prime sponsor; and Heidi Audette, Washington State Department of Veterans Affairs.

**Persons Testifying (Appropriations):** Heidi Audette, Washington State Department of Veterans Affairs.

**Persons Signed In To Testify But Not Testifying (Innovation, Community & Economic Development, & Veterans):** None.

**Persons Signed In To Testify But Not Testifying (Appropriations):** None.