

HOUSE BILL REPORT

HB 2271

As Reported by House Committee On:

Health Care & Wellness

Appropriations

Title: An act relating to promoting access to information regarding the long-term services and supports trust program.

Brief Description: Promoting access to information regarding the long-term services and supports trust program.

Sponsors: Representatives Chambers, Springer, Abbarno, Walen, Jacobsen, Riccelli, Santos, Macri and Walsh.

Brief History:

Committee Activity:

Health Care & Wellness: 1/19/24, 1/30/24 [DPS];

Appropriations: 2/3/24, 2/5/24 [DPS(HCW)].

Brief Summary of Substitute Bill

- Requires the Department of Social and Health Services to develop a secure internet portal through which individuals may access a Long-Term Services and Supports Trust Program summary statement.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Riccelli, Chair; Bateman, Vice Chair; Schmick, Ranking Minority Member; Hutchins, Assistant Ranking Minority Member; Bronoske, Caldier, Davis, Graham, Harris, Macri, Maycumber, Mosbrucker, Orwall, Simmons, Stonier, Thai and Tharinger.

Staff: Jim Morishima (786-7191).

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.

Background:

The Long-Term Services and Supports Trust Program (Program) provides a long-term care benefit to eligible beneficiaries in the form of benefit units the Department of Social and Health Services (DSHS) pays to long-term services and supports providers. The Program is funded by a 0.58 percent premium assessed to Washington employees. A person qualifies for the Program if the person has paid the premium for three years within the last six years or for a total of 10 years. The Program is administered by the DSHS, the Employment Security Department, and the Health Care Authority.

Summary of Substitute Bill:

By January 1, 2026, the Department of Social and Health Services (DSHS) must develop a secure internet portal through which individuals may access a Long-Term Services and Supports Trust Program (Program) summary statement. The DSHS and the Employment Security Department (ESD) must work collaboratively to identify data needs for creating the statements. The ESD must provide agreed-upon data to the DSHS to populate the statements in the secure internet portal. When developing the portal, the DSHS may use or modify existing systems.

Beginning April 1, 2026, the DSHS and the ESD must make the statement available to each employee assessed a premium under the Program via the secure internet portal. The summary statement must explain:

- the number of hours that the employee was reported to have worked in the previous calendar year;
- whether the employee worked the required minimum number of hours;
- the number of years that the employee has been recorded to have worked the minimum number of hours required under the Program;
- the projected benefit level for the employee at age 75;
- program information, including information related to becoming a qualified individual, information related to becoming an eligible beneficiary, information about the assessment process, current assessment and benefit unit levels, information regarding verifying program information and correcting any errors, and any other relevant Program updates; and
- for statements available in 2026, information on calendar years 2023 and 2024.

The DSHS and the ESD must maintain information on their websites on how employees may access statements through the secure internet portal.

Substitute Bill Compared to Original Bill:

The substitute bill:

- removes the requirement that the Employment Security Department (ESD) mail a

- program summary statement to each employee and instead requires the statement to be made available via a secure internet portal developed by the Department of Social and Health Services (DSHS);
- requires the ESD to work with the DSHS to identify data needs and provide agreed-upon data to the DSHS for purposes of making statements available through the portal;
 - removes the requirement that the statement include information on the amount assessed from each employee;
 - adds the following information to the statement: the number of hours the employee was reported to have worked, whether the employee worked the minimum number of hours for eligibility, and the projected benefit level for the employee at age 75;
 - requires the statements available in 2026 to include information on calendar years 2023 and 2024;
 - removes the requirement that the ESD enter into data sharing agreements with the Department of Revenue and other agencies to obtain contact information and other information needed to send the statement;
 - removes the requirement that the ESD make a good faith effort to send the statement to each employee;
 - requires the ESD and the DSHS to provide information on their websites on how to access the statements through the secure internet portal, instead of information on how employees may obtain the statement; and
 - delays the date on which the statements must be available from April 1, 2025, to April 1, 2026.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This program requires the Long-Term Services and Supports Trust Program (Program) to send out an annual statement, just like the Social Security Program. Workers need to know what they have paid and how they access benefits.

(Opposed) None.

(Other) There are some technical issues with this bill that will make it difficult to implement. The Employment Security Department (ESD) communicates with employers directly and does not have information on how much money each employee has contributed. The ESD does not have a direct relationship with the workers, so the ESD does

not have current contact information for each worker. This could be addressed by requiring employers to report contact information to us.

Persons Testifying: (In support) Representative Kelly Chambers, prime sponsor.

(Other) Caitlyn Jekel, Employment Security Dept.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Health Care & Wellness 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; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stokesbary, Stonier, Tharinger and Wilcox.

Staff: Bryan Way (786-7311).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Health Care & Wellness:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 1, 2024.

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

Staff Summary of Public Testimony:

(In support) Workers should know their contributions and benefit eligibility, similar to Social Security statements.

(Opposed) None.

Persons Testifying: Representative Kelly Chambers, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.