

Multiple Agency Fiscal Note Summary

Bill Number: 5640 S SB	Title: Independent living residents
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Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Department of Social and Health Services	0	0	48,000	0	0	0	0	0	0
Total \$	0	0	48,000	0	0	0	0	0	0

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.1	34,000	34,000	34,000	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	.3	49,000	49,000	97,000	.0	0	0	0	.0	0	0	0
Total \$	0.4	83,000	83,000	131,000	0.0	0	0	0	0.0	0	0	0

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Breann Boggs, OFM	Phone: (360) 485-5716	Date Published: Final 2/22/2023
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Individual State Agency Fiscal Note

Bill Number: 5640 S SB	Title: Independent living residents	Agency: 100-Office of Attorney General
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.0	0.1	0.0	0.0
Account					
General Fund-State 001-1	34,000	0	34,000	0	0
Total \$	34,000	0	34,000	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/16/2023
Agency Preparation: Cam Comfort	Phone: (360) 664-9429	Date: 02/17/2023
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/17/2023
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/17/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1: Establishes an independent living residents' rights work group that is tasked with submitting findings and recommendations to the Governor and Legislature as to a bill of rights for nonresidents residing in assist living facilities. Work group to be composed of one representative from each of the following: the Department of Social and Health Services (DSHS), the Attorney General's Office (AGO), the Office of the State Long-Term Care (LTC) Ombudsman, two different associations representing assisted living facilities, a community-based organization or nonprofit that advocates for seniors, an attorney with expertise in landlord-tenant law, and the chair of the dementia action collaborative. Additionally, the work group must include three representatives who are current nonresidents residing in an assisted living facility. Specifies deadlines for the work group are included, including submitting its findings and recommendations by January 1, 2024. Work group to be staffed by DSHS. Provides that the work group is a class one group under RCW 43.03. Requires a public comment period during meetings. Provides an expiration date of January 1, 2025.

Section 2: Provides an immediate effective date for the act.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Attorney General's Office (AGO) Administrative Division activities are funded with General Fund-State dollars. No cash receipt impact. There is no client agency to bill for legal services.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Attorney General's Office (AGO) Agency Assumptions:

This bill has an emergency clause and is assumed to be effective immediately.

Location of staffing is assumed to be in a Seattle office building.

Total workload impact in this request includes standard assumption costs for goods & services, travel, and capital outlays for all FTE identified.

Agency administration support FTE are included in the tables. The Management Analyst 5 (MA), is used as a representative classification. An example ratio is for every 1.0 Assistant Attorney General FTE (AAG), the AGO includes 0.5 FTE for a Legal Assistant 3 (LA) and 0.25 FTE of an MA.

1. Assumptions for the AGO Administrative Division (ADM):

ADM assumes the enactment of this bill will require 0.25 Policy Analyst (Exempt) FTE (PA) to participate in, and work on related activities for the Independent Living Residents' Rights Work Group on behalf of AGO. PA will be managing administrative work such as: ongoing outreach and engagement, development of policy recommendations and research, and writing of final reports as determined by legislation.

ADM total FTE workload impact for Seattle rate:

FY 2024: \$34,000 for 0.25 PA.

2. The AGO Social & Health Services – Olympia Division (SHO) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Department of Social and Health Services (DSHS). The enactment of this bill will not impact the provision of legal services to DSHS. SHO assumes no additional legal services will be needed, since this bill creates a temporary workgroup (expiring on January 1, 2024). This workgroup shall hold multiple meetings, conduct analysis regarding certain information, and provide a report with findings and recommendation to the Governor and the Legislature by November 1, 2023. Therefore, costs are not included in this request.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	34,000	0	34,000	0	0
Total \$			34,000	0	34,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3		0.1		
A-Salaries and Wages	24,000		24,000		
B-Employee Benefits	7,000		7,000		
E-Goods and Other Services	3,000		3,000		
Total \$	34,000	0	34,000	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Policy Analyst	95,000	0.3		0.1		
Total FTEs		0.3		0.1		0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Division (ADM)	34,000		34,000		
Total \$	34,000		34,000		

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 5640 S SB	Title: Independent living residents	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
General Fund-Federal 001-2	48,000		48,000		
Total \$	48,000		48,000		

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6	0.0	0.3	0.0	0.0
Account					
General Fund-State 001-1	49,000	0	49,000	0	0
General Fund-Federal 001-2	48,000	0	48,000	0	0
Total \$	97,000	0	97,000	0	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Melissa Van Gorkom	Phone: 360-786-7491	Date: 02/16/2023
Agency Preparation: Mitchell Close	Phone: 3600000000	Date: 02/22/2023
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/22/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/22/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1(1) establishes the independent living residents' rights work group to recommend a bill of rights for nonresidents residing in an assisted living facility to the governor and legislature.

Section 1(2) sets the composition of the work group, including one representative from the Department of Social and Health Services (DSHS).

Section 1(3) requires the work group to submit its findings and recommendations by January 1, 2024.

Section 1(4) sets the inaugural meeting as no later than August 1, 2023, and creates the process for electing a chair.

Section 1(5) requires DSHS to provide staff support to the work group.

Section 2 is the emergency clause.

The substitute bill revises the composition of the work group but did not change the representative from DSHS. It also extends the report due to the governor and legislature.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

A portion of the costs incurred to implement this legislation will be funded with federal Title XIX - Medicaid funds.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

This bill establishes an independent living residents' rights work group for the purpose of recommending a bill of rights for nonresidents residing in an assisted living facility (ALF) that allows the nonresidents to have a process to resolve disputes regarding contracted services with the owners and management of the ALF in which they reside. The bill requires DSHS to lead this workgroup and provide staff support for it. The workgroup must hold its first meeting no later than August 1, 2023, and provide its findings and recommendations no later than January 1, 2024.

The Residential Care Services Division (RCS) would be responsible for these duties. RCS estimates that it would need both a lead project staff person and a contracted facilitator to discharge these responsibilities.

The lead project staff needed is a Management Analyst 5. RCS will need this project staff through January 31, 2024, in case there is any follow up from the report. The cost for this 0.6 FTE is \$86,000.

The contracted facilitator will organize the workgroup, schedule meetings, take notes, and coordinate with the program staff on the final report. RCS estimates the contracted facilitator will need to spend approximately six hours per meeting to complete its work. With an estimated 60 hours for the workgroup across all meetings at an hourly rate of \$190, the cost for the facilitator is approximately \$11,000.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	49,000	0	49,000	0	0
001-2	General Fund	Federal	48,000	0	48,000	0	0
Total \$			97,000	0	97,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6		0.3		
A-Salaries and Wages	54,000		54,000		
B-Employee Benefits	19,000		19,000		
C-Professional Service Contracts	11,000		11,000		
E-Goods and Other Services	4,000		4,000		
G-Travel					
J-Capital Outlays	6,000		6,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements	3,000		3,000		
9-					
Total \$	97,000	0	97,000	0	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Management Analyst 5	93,240	0.6		0.3		
Total FTEs		0.6		0.3		0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Aging and Long-Term Support Administration (050)	97,000		97,000		
Total \$	97,000		97,000		

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.