

Multiple Agency Fiscal Note Summary

Bill Number: 1568 S HB	Title: Long-term care professionals
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Estimated Cash Receipts

NONE

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
Department of Social and Health Services	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.2	118,000	118,000	118,000	.1	16,000	16,000	16,000	.1	16,000	16,000	16,000
Total \$	0.2	118,000	118,000	118,000	0.1	16,000	16,000	16,000	0.1	16,000	16,000	16,000

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
Department of Health	.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

NONE

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Prepared by: Breann Boggs, OFM	Phone: (360) 485-5716	Date Published: Final 3/ 3/2023
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Individual State Agency Fiscal Note

Bill Number: 1568 S HB	Title: Long-term care professionals	Agency: 300-Department of Social and Health Services
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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:	Phone:	Date: 02/27/2023
Agency Preparation: Mitchell Close	Phone: 3600000000	Date: 03/03/2023
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 03/03/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/03/2023

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.

Passage of this legislation will not impact the Department of Social and Health Services (DSHS) workload or client benefits. Therefore, there is no fiscal impact to DSHS from this bill.

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.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

III. D - Expenditures By Program (optional)

NONE

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: 1568 S HB	Title: Long-term care professionals	Agency: 303-Department of Health
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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	0.4	0.0	0.2	0.1	0.1
Account					
General Fund-State 001-1	53,000	65,000	118,000	16,000	16,000
Total \$	53,000	65,000	118,000	16,000	16,000

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:	Phone:	Date: 02/27/2023
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 03/02/2023
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 03/02/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 03/03/2023

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.

There is no change in fiscal impact from the fiscal note provided for the previous version of the bill, HB 1568. The substitute version of this bill provides an additional 100 days to those who have completed training to become certified and adds it does not apply to those hired on or after July 1, 2026, reinstates the current statutory requirements for a skills examination, requires the exam be offered on different times and days of the week, and requires a qualified long-term care worker seeking to complete the exam be provided at least three options for test dates and times. This version also adds the exemption to home care aide certification for those in a certified nursing program no longer applies if the applicant is not certified as a nursing assistant within 200 days after date of hire, adds for those hired after July 1, 2026 requiring to be certified as a home care aide who voluntarily pursues certification as a nursing assistant and have completed all requirements except for the competency evaluation will also have 100 additional days to apply, and amends the deadline to complete training from 120 days to 400 days.

Section 1 & 2: Adds a new section beginning on September 1, 2023, a person whose nursing assistant certificate or home care aide certificate that has expired for more than six months and less than two years is exempt from the payment of any late renewal fee or current renewal fee based on compliance with all other certification requirements to return to active status. The department of health shall send a notification to the last known address of each person who held a certificate under this chapter and, since January 1, 2020, failed to renew the certificate to inform the person that a certificate may be restored without a financial penalty or payment of a renewal fee. For persons who have allowed their certificates to expire since January 1, 2023, the department of health must allow six months to pass since the expiration prior to contacting them to inform them that a certificate may be restored without a financial penalty or payment of a renewal fee. This section expires July 1, 2025.

Section 3: Amends RCW (Revised Code of Washington) 18.88b for a certificate that expires for five years or less may be reinstated if the holder meets specified requirements.

Section 4: Adds if a long-term care worker is not certified as a home care aide within 200 days of date of hire the long-term care worker may continue to work for an additional 200 days if he or she has proof of five hours of initial training and begun the 70 hours of long-term care basic training. The long-term care worker must be certified as a home care aide prior to expiration of additional 200 days. Adds an additional 100 days to those who have completed training to become certified and it does not apply to those hired after July 1, 2026.

Section 5: Adds a section stating a home care aide certification must be renewed every two years. Reinstates skills examination requirement. Adds requirement the department or the contractor administering the exam to offer the exam on different days and at different times and shall offer each applicant three different days and three different times to take the exam. Since offering three different times is something the current vendor, Prometric, cannot do it could result in losing our testing contract but is not guaranteed. This could result in fiscal impact of no longer utilizing the current testing contract in the future but is indeterminate.

Section 6: Adds a section for long-term care workers who are nursing assistants must be certified within 400 days after date of hire. Adds the exemption for a home care aide certification for those in a certified nursing program to no longer apply if the applicant is not certified as a nursing assistant within 200 days after date of hire. Adds for those hired before July 1, 2026 and to be certified as a home care aide who voluntarily pursue certification as a nursing assistant and completed all requirements except for competency evaluation will have an additional 100 days to become certified.

Section 7: Adds a section for registrations, certifications, and medication assistant endorsements shall be renewed every two years.

Section 9: Amends the deadline to complete training from 120 days to 400 days.

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.

Current law RCW 43.70.250 (License fees for professions, occupations, and businesses.) requires that the health professions administered by the Department of Health (department) be fully self-supporting and that enough revenue be collected through fees to fund the cost of administering the program. Currently the Home Care Aide program has a negative fund balance of (\$6,741,000) and the Nursing Assistant program has a negative fund balance of (\$3,147,000). Costs to implement this bill will further draw down the program's fund balance and increase the fee adjustment needed for the program to regain a positive fund balance. The department will conduct a fee study, and costs associated with implementing this bill will be considered when setting the fee.

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.

Assumptions: The department assumes GF-S will be provided to implement this bill to avoid increasing negative fund balances in the Home Care Aide and Nursing Assistant programs.

Rulemaking

Section 1 – 7, 9: The department will develop and adopt rules surrounding the credentialing of professionals providing long-term care services. The department anticipates utilizing a team of subject matter experts to implement this bill. This team will consist of the program manager and a community engagement specialist to identify underreached communities and engage them in the rulemaking process. Based on the department's experience with similar rules work, the department anticipates rulemaking to be complex. Complex rulemaking will require a rules project coordinator to support subject matter experts and ensure timely completion of rulemaking. This process will include three meetings with interested parties as well as one formal rules hearing, all held virtually, and will take approximately 12 months to complete. The department anticipates providing the rules hearing announcement and materials in both English and Spanish and providing ASL and Spanish interpretation services at the rules hearing.

Costs include staff, associated expenses (including goods and services, travel, intra-agency, and indirect charges), and Office of Attorney General support in the amount of \$5,000.

FY 2024 costs will be 0.4 FTE and \$53,000 (GF-S)

Health Technology Solutions (HTS)

Section 1 – 7, 9: Configuration in department's Healthcare Enforcement and Licensing Modernization System will require 242 hours from the integration vendor at a rate of \$262.50 per hour. Work will include the initial vendor configuration and agency staff time for ongoing maintenance of two new applications, fees updates, new workflows, new reports, and database support.

FY 2025 costs will be \$65,000 (GF-S)

FY 2026 and ongoing, costs will be 0.1 FTE and \$8,000 (GF-S)

Office of Customer Service (OCS)

Sections 1 – 7, 9: This bill changes expired reissuance credential requirements for the Home Care Aide program and Nursing Assistant program. OCS staff will update reissuance applications, change configuration in Integrated Licensing Regulatory System (ILRS), test, and implement new requirements for these health professions. Additionally, this will generate additional calls to the call center for changes in fee calculations for expired credentials and changes in renewal cycles. Costs for this work are minimal and can be completed within existing resources, therefore no fiscal impact.

TOTAL COST TO IMPLEMENT THE PROGRAM:

FY 2024 costs will be 0.4 FTE and \$53,000 (GF-S)

FY 2025 costs will be \$65,000 (GF-S)

FY 2026 and ongoing costs will be 0.1 FTE and \$8,000 (GF-S)

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	53,000	65,000	118,000	16,000	16,000
Total \$			53,000	65,000	118,000	16,000	16,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.4		0.2	0.1	0.1
A-Salaries and Wages	32,000		32,000	12,000	12,000
B-Employee Benefits	12,000		12,000	2,000	2,000
C-Professional Service Contracts	1,000	64,000	65,000		
E-Goods and Other Services	6,000	1,000	7,000	2,000	2,000
T-Intra-Agency Reimbursements	2,000		2,000		
Total \$	53,000	65,000	118,000	16,000	16,000

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
Fiscal Analyst 2	53,000				0.1	0.1
HEALTH SERVICES CONSULTAN 4	82,896	0.2		0.1		
MANAGEMENT ANALYST 4	82,896	0.2		0.1		
Total FTEs		0.4		0.2	0.1	0.1

III. D - Expenditures By Program (optional)

NONE

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.

Sections 1-7: The department will adopt rules in Title 246.841 WAC (Nursing Assistants) and in Title 246.980 (Home Care Aide Rules) as necessary to implement this bill.