

Multiple Agency Fiscal Note Summary

Bill Number: 5810 SB	Title: Clarifying the collective bargaining unit for interpreters providing language access to certain state agencies.
-----------------------------	---

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
Washington State Health Care Authority	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	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 Financial Management	.0	0	0	0	.0	0	0	0	.0	0	0	0
Washington State Health Care Authority	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Department of Labor and Industries	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	Fiscal note not available											
Department of Children, Youth, and Families	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	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 Financial Management	.0	0	0	.0	0	0	.0	0	0
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Labor and Industries	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	Fiscal note not available								
Department of Children, Youth, and Families	.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: Val Terre, OFM	Phone: (360) 280-3973	Date Published: Preliminary 1/29/2024
------------------------------------	---------------------------------	---

Individual State Agency Fiscal Note

Bill Number: 5810 SB	Title: Clarifying the collective bargaining unit for interpreters providing language access to certain state agencies.	Agency: 105-Office of Financial Management
-----------------------------	---	---

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: Jarrett Sacks	Phone: 360-786-7448	Date: 12/15/2023
Agency Preparation: Keith Thunstedt	Phone: 360-810-1271	Date: 12/18/2023
Agency Approval: Kathy Cody	Phone: (360) 480-7237	Date: 12/18/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 01/10/2024

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(2) amends the language exempting some collective bargaining requirements between the governor and language access providers. The removal of the term “appointments” in this section would require bargaining changes in the State – WFSE Interpreters United Local 1671 Collective Bargaining Agreement pertaining to services not considered appointments, sometimes referred to as on-demand interpreting services, which are not covered in the current CBA (except for Facility DSHS and DCYF Block Appointments, in-person DCYF or DSHS appointments scheduled on-site for a specific time period). If on-demand interpreting services are covered, OFM and the covered agencies would need to bargain provisions around those services.

The work connected with the resulting collective bargaining of on-demand interpreting provisions can be done within existing resources. Therefore, there is no fiscal impact to OFM.

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: 5810 SB	Title: Clarifying the collective bargaining unit for interpreters providing language access to certain state agencies.	Agency: 107-Washington State Health Care Authority
-----------------------------	---	---

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

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: Jarrett Sacks	Phone: 360-786-7448	Date: 12/15/2023
Agency Preparation: Michael Grund	Phone: 360-725-1949	Date: 01/09/2024
Agency Approval: Megan Atkinson	Phone: 360-725-1222	Date: 01/09/2024
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 01/19/2024

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.

See attached.

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.

See attached.

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.

See attached.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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.

HCA Fiscal Note

Bill Number: **5810 SB**
bargaining unit

HCA Request #: **24-015**

Title: **Clarifying the collective**

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

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.

HCA Fiscal Note

Bill Number: **5810 SB**
bargaining unit

HCA Request #: **24-015**

Title: **Clarifying the collective**

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.

This bill relates to clarifying the collective bargaining unit for interpreters providing language access services to certain state agencies. The Washington State Health Care Authority (HCA) assumes this bill will have an indeterminate fiscal impact.

The bill amends RCW 41.56.510 Section 1(2)(a)(i): A statewide unit for language access providers who provide spoken language interpreter services for Department of Social Health Services (DSHS) appointments, the Department of Children, Youth, and Families (DCYF) appointments, or Medicaid enrollee appointments.

The bill removes the word "appointments". This would significantly expand the Language Access Provider's (LAP) bargaining unit to include any and all interpreters providing any kind of interpretation services for DSHS, DCYF, and HCA. This would cause significant operational disruptions, workload increases, and fiscal impacts.

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. Distinguish between one time and ongoing functions.

Indeterminate.

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. Distinguish between one time and ongoing functions.

Indeterminate.

As currently written, RCW 41.56.510, clearly states that the bargaining unit includes individuals who provide interpreter services for "appointments". These appointments actually do not occur at HCA at all, but rather across Washington state with health care providers who serve Medicaid (Apple Health) clients. If "appointment" is removed from the RCW, the bargaining unit would be expanded and possibly include current HCA employees, who also provide interpretation services for Medicaid clients outside of an "appointment" settings. Additionally, some of the impacted individuals may already be included in another bargaining unit.

This bill would cause the HCA Interpreter Services Program (ISP) a significant increase in workload. Removing the word "appointments" from this existing RCW would expand the scope of the work covered under the bargaining unit. Currently, the scope is restricted to Medicaid appointments which are considered pre-scheduled Medicaid healthcare appointments. This is the existing and past practice. Operationally, only Medicaid enrolled providers access the ISP to request interpreters.

Removing the word "appointments" expands the scope of the work to all Medicaid related interactions needing an interpreter and may change the current and past practice of limiting the scope of work to only pre-scheduled

HCA Fiscal Note

Bill Number: **5810 SB**
bargaining unit

HCA Request #: **24-015**

Title: **Clarifying the collective**

appointments. Operationally, this would mean that on-demand services would be included in the scope of the bargaining unit work, as well as HCA business activities such as the call centers who interact with Medicaid enrollees and who may utilize interpreters in that customer service interaction. This would completely change the landscape of how these services are delivered.

This also opens the interpreters' work up to be on-demand. There is no established way for HCA to track or pay or understand what constitutes an on-demand interpreter job. HCA would need to participate in a complete re-writing of the Collective Bargaining Agreement (CBA) since the current CBA is based on pre-schedule Medicaid appointments.

There is a finite pool of interpreters and increasing the bargaining unit work will decrease the availability of interpreters to perform that work. If interpreters are not available to perform the work, then the clients needing language access services would be negatively impacted. The clients may be expected to communicate without an interpreter or go unserved without their healthcare appointments.

The same pool of interpreters is used by HCA, DSHS, DCYF, and the statewide contracts made available by the Department of Enterprise Services (DES). If the additional Medicaid related work is added to the bargaining unit, then these other agencies would experience a reduction in available interpreters.

Reducing the availability of the interpreter pool negatively impacts HCA and other agency clients. The current CBA does not provide terms and conditions for handling non-appointment Medicaid related interactions or for on demand services. Therefore, HCA would be at risk for demands to bargain and non-compliance with the CBA. The CBA would need to be rewritten.

The current and past practice is for all Medicaid related work to be facilitated through a coordinating entity. The current program within HCA and the coordinating entity contract is not structured to facilitate requests outside of Medicaid providers. The time and financial impact to update the program and coordinating entity contract and software will be significant.

Part III: Expenditure Detail

III. A - Operating Budget Expenditure

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)

HCA Fiscal Note

Bill Number: **5810 SB**
bargaining unit

HCA Request #: **24-015**

Title: **Clarifying the collective**

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.

NONE

Individual State Agency Fiscal Note

Bill Number: 5810 SB	Title: Clarifying the collective bargaining unit for interpreters providing language access to certain state agencies.	Agency: 235-Department of Labor and Industries
-----------------------------	---	---

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: Jarrett Sacks	Phone: 360-786-7448	Date: 12/15/2023
Agency Preparation: Rachel Reed	Phone: 360-902-4552	Date: 01/17/2024
Agency Approval: Trent Howard	Phone: 360-902-6698	Date: 01/17/2024
OFM Review: Anna Minor	Phone: (360) 790-2951	Date: 01/17/2024

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.

This bill extends collective bargaining authority to a statewide unit for language access providers who provide spoken language interpreter services for the Department of Social and Health Services, the Department of Children, Youth, and Families, or Medicaid enrollees; amending RCW 41.56.510. Previously, collective bargaining authority was limited to those providing these interpreter services by appointment.

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.

None.

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 does not make any changes to the collective bargaining provision in RCW 41.56.510 (2)(a)(ii) relating to interpreter services for injured workers or crime victims receiving benefits from the Department of Labor and Industries (L&I). The proposed bill does not have fiscal impact for L&I.

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

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

Revised

Bill Number: 5810 SB	Title: Clarifying the collective bargaining unit for interpreters providing language access to certain state agencies.	Agency: 307-Department of Children, Youth, and Families
-----------------------------	---	--

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

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: Jarrett Sacks	Phone: 360-786-7448	Date: 12/15/2023
Agency Preparation: Saydee Wilson	Phone: 5098221418	Date: 01/26/2024
Agency Approval: Crystal Lester	Phone: 360-628-3960	Date: 01/26/2024
OFM Review: Carly Kujath	Phone: (360) 790-7909	Date: 01/29/2024

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(2)(a)(i) removes the term "appointments" to clarify that only represented employees will provide language interpreter services.

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.

None.

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.

Total costs are INDETERMINATE. The provisions of this bill would require bargaining changes in the State - WFSE Interpreters United Local 1671 Collective Bargaining Agreement (CBA) pertaining to services not considered appointments, which are not covered in the current CBA. Costs are not estimable until bargaining is complete.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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.