

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5640 E S SB	<b>Title:</b> 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
Office of Attorney General	0	0	5,000	0	0	0	0	0	0
Department of Social and Health Services	0	0	51,000	0	0	0	0	0	0
<b>Total \$</b>	<b>0</b>	<b>0</b>	<b>56,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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	.4	59,000	59,000	64,000	.2	25,000	25,000	25,000	.0	0	0	0
Department of Commerce	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Social and Health Services	.3	50,000	50,000	101,000	.0	0	0	0	.0	0	0	0
<b>Total \$</b>	<b>0.7</b>	<b>109,000</b>	<b>109,000</b>	<b>165,000</b>	<b>0.2</b>	<b>25,000</b>	<b>25,000</b>	<b>25,000</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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 Commerce	.0	0	0	.0	0	0	.0	0	0
Department of Social and Health Services	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

## Estimated Capital Budget Breakout

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**Phone:**  
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**Date Published:**  
Final 2/27/2024

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5640 E S SB	<b>Title:</b> Independent living residents	<b>Agency:</b> 100-Office of Attorney General
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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
Legal Services Revolving Account-State 405-1		5,000	5,000		
<b>Total \$</b>		5,000	5,000		

### Estimated Operating Expenditures from:

ACCOUNT	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.6	0.4	0.2	0.0
<b>Account</b>					
General Fund-State 001-1	13,000	46,000	59,000	25,000	0
Legal Services Revolving Account-State 405-1	0	5,000	5,000	0	0
<b>Total \$</b>	13,000	51,000	64,000	25,000	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: Bryan Way	Phone: 360-786-7311	Date: 02/20/2024
Agency Preparation: Dave Merchant	Phone: 360-753-1620	Date: 02/23/2024
Agency Approval: Edd Giger	Phone: 360-586-2104	Date: 02/23/2024
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 02/25/2024

## 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: New Section. Establishes an independent living residents' rights work group. This group will submit findings and recommendations to the Governor and Legislature. This will serve as a bill of rights for nonresidents residing in assisted 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 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, the chair of the dementia action collaborative, and three current or former residents of assisted living facilities appointed by DSHS. Deadlines for the work group are included. The first meeting is required by August 1, 2024. Submitting findings and recommendations by January 1, 2025. 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, 2026.

Section 2: New Section. 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.*

Cash receipts are assumed to equal the Legal Services Revolving Account (LSRA) cost estimates. These will be billed through the revolving account to the client agency.

The client agency is the Department of Social and Health Services (DSHS). The Attorney General's Office (AGO) will bill all clients for legal services rendered.

These cash receipts represent the AGO's authority to bill and are not a direct appropriation to the AGO. The direct appropriation is reflected in the client agency's fiscal note. Appropriation authority is necessary in the AGO budget.

#### AGO AGENCY ASSUMPTIONS:

DSHS will be billed for non-King County rates:

FY 2025: \$5,000 for 0.1 Assistant Attorney General FTE (AAG) and 0.1 Paralegal 1 FTE (PL1)

Attorney General's Office (AGO) Administrative Division (ADM) 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 King County and non-King Country 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 FTE (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 Paralegal 1 FTE (PL1) and 0.4 MA.

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

ADM assumes the enactment of this bill will require a Policy Analyst (PA) to participate in and work on related activities for the Independent Living Residents' Rights Work Group on behalf of AGO. PA will coordinate feedback across the agency to support the work group as defined by this bill. Additionally, PA will manage administrative work such as ongoing outreach and engagement, development of policy recommendations and research, and writing of final reports as determined by legislation.

Total King County workload impact:

FY 2024: \$13,000 for 0.1 PA

FY 2025: \$46,000 for 0.3 PA

FY 2026: \$25,000 for 0.2 PA

2. Assumptions for the AGO Social & Health Services Division (SHO):

There will be an increase to the division's workload for the client Department of Social and Health Services (DSHS) in the first six to nine months after the bill's effective date. This would be related to our role in the workgroup. Eight questions related to changes to the law times an average of five hours consulting with client, conducting research, and drafting advice equals 40 hours of AAG time. One hour per request time proofing and formatting advice equals eight hours of PL1 time. Estimated at 48 hours total.

Total non-King County workload impact:

FY 2025: \$5,000 for 0.1 AAG and 0.1 PL1

3. The AGO Agriculture and Health Division (AHD) has reviewed this bill and determined it will not increase or decrease the division's workload. The enactment of this bill will not impact legal services to the Department of Commerce (Commerce) because the bill does not create any new authorities or responsibilities in Commerce. The Office of the State Long Term Care Ombudsman's participation in the work group under Section 1(2) is not expected to generate any need for legal services by Commerce. Therefore, no costs are included in this request.

4. The AGO Solicitor General's Office (SGO) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

Total AGO Workload impact:

FY 2024: \$13,000 for 0.1 PA

FY 2025: \$51,000 for 0.3 PA, 0.1 AAG, and 0.1 PL1

FY 2026: \$25,000 for 0.2 PA

## 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	13,000	46,000	59,000	25,000	0
405-1	Legal Services Revolving Account	State	0	5,000	5,000	0	0
<b>Total \$</b>			13,000	51,000	64,000	25,000	0

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.2	0.6	0.4	0.2	
A-Salaries and Wages	9,000	35,000	44,000	18,000	
B-Employee Benefits	3,000	11,000	14,000	5,000	
E-Goods and Other Services	1,000	5,000	6,000	2,000	
<b>Total \$</b>	13,000	51,000	64,000	25,000	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
Assistant Attorney General	129,100		0.1	0.1		
Management Analyst 5	95,184	0.1	0.1	0.1	0.1	
Paralegal 1	69,072		0.1	0.1		
Policy Analyst - ADM	110,000	0.1	0.3	0.2	0.1	
<b>Total FTEs</b>		0.2	0.6	0.4	0.2	0.0

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Headquarters Administration (POL) (POL)	13,000	46,000	59,000	25,000	
Social & Health Services (SHO) (SHO)		5,000	5,000		
<b>Total \$</b>	13,000	51,000	64,000	25,000	

**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

<b>Bill Number:</b> 5640 E S SB	<b>Title:</b> Independent living residents	<b>Agency:</b> 103-Department of Commerce
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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: Bryan Way	Phone: 360-786-7311	Date: 02/20/2024
Agency Preparation: Kate Labelle	Phone: 3607252753	Date: 02/23/2024
Agency Approval: Kate Labelle	Phone: 3607252753	Date: 02/23/2024
OFM Review: Cheri Keller	Phone: (360) 584-2207	Date: 02/23/2024

## 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 establishes an independent living residents' rights work group.

Section 2(c): The workgroup requires a representative from the office of the state long-term care ombudsman. The office of the state long-term care ombudsman is contracted by the Department of Commerce, Community Service Division.

### 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.*

N/A

### 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.*

Section 2(c): Department of Commerce would need to amend its current contract for the office of the state long-term care ombudsman to include additional funding for salary costs related to participation; the total cost of participation would be less than \$4,000. The Department of Commerce would absorb these costs within existing appropriation levels.

## 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

N/A

## **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

<b>Bill Number:</b> 5640 E S SB	<b>Title:</b> Independent living residents	<b>Agency:</b> 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		51,000	51,000		
<b>Total \$</b>		51,000	51,000		

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.6	0.3	0.0	0.0
<b>Account</b>					
General Fund-State 001-1	0	50,000	50,000	0	0
General Fund-Federal 001-2	0	51,000	51,000	0	0
<b>Total \$</b>	0	101,000	101,000	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: Bryan Way	Phone: 360-786-7311	Date: 02/20/2024
Agency Preparation: Mitchell Close	Phone: 3600000000	Date: 02/27/2024
Agency Approval: Dan Winkley	Phone: 360-902-8236	Date: 02/27/2024
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 02/27/2024

## 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 proposed legislation establishes an independent living residents' right work group to recommend a bill of rights for individuals residing in assisted living facilities. The group is directed to hold multiple stakeholder meetings, with the first no later than August 1, 2024, to identify barriers and issues impacting nonresidents, consider options for nonresidents, and develop recommendations for nonresidents to resolve problems, including recommendations protecting nonresidents from retaliation from owners and management of facilities. The bill describes the composition of the group, including one representative from the Department of Social and Health Services (DSHS), and directs DSHS to provide support staff. The group must report its findings to the governor and legislature by January 1, 2025.

### 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 work group and provide staff support for it. The workgroup must hold its first meeting no later than August 1, 2024, and provide its findings and recommendations no later than January 1, 2025.

This work will require one staff for the Aging and Long-Term Support Administration (AL TSA) Residential Care Services (RCS) division. This Assisted Living Policy Program Manager (MA5) position would be responsible for leading the group and completing the final report. RCS will need this staff from July 1, 2024, through January 31, 2025, to complete any any follow-up from the report. The cost for this 0.6 FTE would be \$90,000 in FY25.

Additionally, RCS will require a contracted facilitator to organize the work group, 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 total hours across all meetings, the cost for this contract would be \$11,000 in FY25.

## 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	0	50,000	50,000	0	0
001-2	General Fund	Federal	0	51,000	51,000	0	0
<b>Total \$</b>			0	101,000	101,000	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		59,000	59,000		
B-Employee Benefits		20,000	20,000		
C-Professional Service Contracts		11,000	11,000		
E-Goods and Other Services		4,000	4,000		
G-Travel					
J-Capital Outlays		4,000	4,000		
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-					
<b>Total \$</b>	0	101,000	101,000	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
Assisted Living Policy Program Manager - MA5	98,042		0.6	0.3		
<b>Total FTEs</b>			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)		101,000	101,000		
<b>Total \$</b>		101,000	101,000		

**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.*