



State Legislative Session Update

May 7, 2021 First Friday Forum

Emily Brice, emily@nohla.org

2021 Legislative Session Has Closed

- **Timing**
 - The state Legislature adjourned April 25th
 - The Governor has 20 days from the date the Legislature delivered bills and budget items to act, by either signing into law or vetoing
- **Key Resources**
 - [Bill look-up tool](#): Find bill information by bill number or search tools
 - [Final budget bill](#): Review final budget language
 - [Additional budget detail](#): Review final budget “agency details”
 - [Governor’s action tracker](#): Find information on bill signings
 - NoHLA health-focused legislative summaries:
 - Final [bill summary](#)
 - Final [budget summary](#)

Key Take-Aways

- **Avoided cuts due to funding infusion:**
 - Federal COVID-relief packages provided \$10.6B in federal funds
 - Legislature tapped the Rainy Day fund and improving economy
 - Legislature passed new revenue – a state tax on capital gains
- **\$59B budget invested in health and human service, with a focus on:**
 - Pandemic and public health funds
 - Behavioral health
 - Equity, particularly for immigrants:
 - \$340M Immigrant Relief Fund
 - Working Families Tax Credit (can access with ITIN #)
- **But caution:** Items funded this year may be one-time funds...

Highlights: Select Bills that Passed

Bill Number	Name	Notes
E2SHB 1086	Creating the state office of behavioral health consumer advocacy.	Creates new behavioral health consumer “ombuds” program by 7/1/2022 within the Dept. of Commerce, with authority to investigate complaints against providers. Requires Medicaid plans to reimburse for the program’s services.
E2SHB 1477	Implementing the national 988 system.	Restructures state’s behavioral health crisis response infrastructure to provide “real-time” help with finding care. Requires Medicaid MCOs/BHASOs to provide next-day urgent behavioral health appointments by 2023.
ESB 5476	Responding to the <i>State v. Blake</i> decision.	Addresses state Supreme Court ruling that invalidated WA’s controlled substances possession statute. Separately from the budget, allocates funds for BH services (particularly substance use and diversion).
SHB 1151	Bolstering economic recovery.	Allows Governor to extend Consolidated Emergency Assistance more than once in a 12-month period. Provides a one-time cash benefit and transitional food assistance to qualifying households. Requires DSHS to update the standards of need for cash assistance to include cell phone, internet, and child/health care costs.
2SSB 5214	Concerning economic assistance programs.	Adds exemption from 60-month time limit for TANF recipients during periods when state unemployment is at least 7%, during months after March 1, 2020.
SHB 1348	Providing medical assistance to incarcerated persons.	Allows people to retain Medicaid for up to 29 days of incarceration before Medicaid is “suspended.” HCA must seek a Medicaid waiver to implement.
ESSB 5118	Supporting successful reentry.	Requires DCYF to connect or reconnect juveniles to health coverage upon reentry.
E2SSB 5304	Providing reentry services to persons releasing from institutions.	Expands the Medicaid suspension policy to include all correctional institutions, state hospitals, and other treatment facilities. Requires HCA to apply for a Medicaid waiver to provide services up to 30 days prior to the person's release or discharge.
SSB 5068	Improving maternal health outcomes by extending postpartum coverage.	Extends Apple Health postpartum health care coverage from 60 days to 12 months post-pregnancy.
E2SSB 5377	Increasing affordability of standardized plans on the individual market.	Creates state Exchange subsidy program and limits non-standard plans. Budget funds a child care worker premium sponsorship pilot up to 300% FPL in 2022 and broader subsidy program up to 250% FPL in 2023.
2SSB 5313	Nondiscrimination for gender-affirming care	Prohibits discrimination in services for gender-affirming care in state-regulated commercial plans, Medicaid fee-for-service, or Medicaid plans.

Highlights: Select Budget Items

- Rate increases for Medicaid providers (primary care, in-home care, nursing facilities, family planning, adult dental, behavioral health, etc.)
- Substantial funding for community behavioral health programs
- HCA:
 - Immigrant care: Provides total of \$41M in clinic grant funds for uninsured/underinsured care for those up to 200% FPL and 20 new LTC bed slots
 - Directs HCA to seek federal waivers for behavioral health respite care and continuous eligibility for children 0-5
 - Includes pass-through funding to Navigators/community organizations to help with COFA Islander transition to Medicaid
- DSHS:
 - Funds 15% increase to TANF grant, effective 7/1/21
 - Directs more funds to home-and-community-based services
 - Funds more in-home care hours (no “shared benefit” adjustment)
 - More beds, more ID/D waiver slots, and increased SOLA home capacity
- DOH: Allocated over \$1B in federal COVID-19 response funds
- Exchange: Directed to explore a state-funded program to cover residents regardless of federal eligibility by 2024