

HOUSE BILL 1367

State of Washington

67th Legislature

2021 Regular Session

By Representatives Ormsby, Bergquist, Ramos, Callan, Gregerson, Simmons, Berry, Sullivan, Leavitt, Kloba, Macri, Ramel, and Harris-Talley

Read first time 01/25/21. Referred to Committee on Appropriations.

1 AN ACT Relating to revising 2019-2021 fiscal biennium
2 appropriations of state and federal funding for previously
3 implemented medicaid rates and other medicaid expenditures in the
4 developmental disabilities and long-term care programs in response to
5 the COVID-19 pandemic; creating new sections; making appropriations;
6 and declaring an emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
9 **SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM—COMMUNITY SERVICES**

10	Budget Stabilization Account—State Appropriation	
11	(FY 2021)	\$54,671,000
12	General Fund—Federal Appropriation (2019-2021	
13	biennium)	\$79,886,000
14	TOTAL APPROPRIATION	\$134,557,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: The entire budget stabilization account—
17 state appropriation for fiscal year 2021 and the entire general fund—
18 federal appropriation (federal medical assistance percentage) are
19 provided solely for COVID-19 response in calendar year 2020,

1 including the temporary COVID-19 rate enhancements offered to
2 contracted service providers.

3 NEW SECTION. **Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH**
4 **SERVICES—AGING AND ADULT SERVICES PROGRAM**

5 Budget Stabilization Account—State Appropriation
6 (FY 2021). \$109,589,000
7 General Fund—Federal Appropriation (2019-2021
8 biennium). \$159,494,000
9 TOTAL APPROPRIATION. \$269,083,000

10 The appropriations in this section are subject to the following
11 conditions and limitations: The entire budget stabilization account—
12 state appropriation for fiscal year 2021 and the entire general fund—
13 federal appropriation (federal medical assistance percentage) are
14 provided solely for COVID-19 response in calendar year 2020,
15 including the temporary COVID-19 rate enhancements offered to
16 contracted service providers.

17 NEW SECTION. **Sec. 3.** The legislature finds that in March 2020,
18 congress enacted the coronavirus aid, relief and economic security
19 act (CARES act), which created the coronavirus relief fund to assist
20 states with unanticipated and unbudgeted coronavirus response costs,
21 and that such funding had to be spent by December 30, 2020, or
22 returned to the federal treasury. The legislature finds that the
23 coronavirus response and relief supplemental appropriations act
24 (CRRSA act) enacted December 27, 2020, extended the deadline before
25 which coronavirus relief funds could be spent until December 31,
26 2021. The legislature finds the deadline extension provides an
27 opportunity to reevaluate previous state expenditures of coronavirus
28 relief funds. It is in the best interest of Washingtonians to
29 maximize available federal funding from the coronavirus relief fund
30 to the full extent permitted by federal law and to recognize its
31 flexibility as a fund source to address the urgent needs of
32 Washington's residents and businesses during the pandemic. For these
33 reasons, in this act the legislature revises 2019-2021 biennial
34 appropriations, including appropriations for fiscal year 2020, for
35 funding provided to the developmental disabilities and long-term care
36 programs in the department of social and health services for
37 temporary rate increases authorized for service providers as a result

1 of the state's response to the coronavirus. Specifically,
2 appropriations are revised to attribute these expenditures to the
3 state funding from the budget stabilization account and associated
4 medicaid federal funds participation, rather than to federal funding
5 from the coronavirus relief fund. The federal coronavirus relief fund
6 moneys made available by the revisions in this act are appropriated
7 in House Bill No. . . . (H-0476/21) (COVID-19 response) for the
8 benefit of Washington's residents and businesses.

9 NEW SECTION. **Sec. 4.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 5.** If any part of this act is found to be in
14 conflict with federal requirements that are a prescribed condition to
15 the allocation of federal funds to the state, the conflicting part of
16 this act is inoperative solely to the extent of the conflict and with
17 respect to the agencies directly affected, and this finding does not
18 affect the operation of the remainder of this act in its application
19 to the agencies concerned. Rules adopted under this act must meet
20 federal requirements that are a necessary condition to the receipt of
21 federal funds by the state.

22 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
23 preservation of the public peace, health, or safety, or support of
24 the state government and its existing public institutions, and takes
25 effect immediately.

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