
HOUSE BILL 1578

State of Washington

69th Legislature

2025 Regular Session

By Representative Dufault

Read first time 01/24/25. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to repealing the long-term care services and
2 supports trust program; amending RCW 74.39A.076, 18.88B.041, and
3 44.44.040; reenacting and amending RCW 43.79A.040 and 43.79A.040;
4 repealing RCW 50B.04.010, 50B.04.020, 50B.04.030, 50B.04.040,
5 50B.04.050, 50B.04.055, 50B.04.060, 50B.04.070, 50B.04.080,
6 50B.04.085, 50B.04.088, 50B.04.090, 50B.04.095, 50B.04.100,
7 50B.04.110, 50B.04.120, 50B.04.130, 50B.04.140, 50B.04.150,
8 50B.04.160, 50B.04.170, 50B.04.180, 50B.04.200, 50B.04.900, and
9 43.09.480; providing an effective date; and providing an expiration
10 date.

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

12 **Sec. 1.** RCW 74.39A.076 and 2024 c 322 s 2 are each amended to
13 read as follows:

14 (1) Beginning January 7, 2012, except for long-term care workers
15 exempt from certification under RCW 18.88B.041(1)(a):

16 (a) A parent who is the individual provider only for the person's
17 developmentally disabled child, including when related by marriage or
18 domestic partnership, must receive 12 hours of training relevant to
19 the needs of individuals with developmental disabilities within the
20 first 120 days after becoming an individual provider.

1 (b) ~~((A spouse or registered domestic partner who is a long-term~~
2 ~~care worker only for a spouse or domestic partner, pursuant to the~~
3 ~~long-term services and supports trust program established in chapter~~
4 ~~50B.04 RCW, must receive 15 hours of basic training, and at least six~~
5 ~~hours of additional focused training based on the care-receiving~~
6 ~~spouse's or partner's needs, within the first 120 days after becoming~~
7 ~~a long-term care worker.~~

8 ~~(e))~~) A person working as an individual provider who (i) provides
9 respite care services only for individuals with developmental
10 disabilities receiving services under Title 71A RCW or only for
11 individuals who receive services under this chapter, and (ii) works
12 300 hours or less in any calendar year, must complete 14 hours of
13 training within the first 120 days after becoming an individual
14 provider. Five of the 14 hours must be completed before becoming
15 eligible to provide care, including two hours of orientation training
16 regarding the caregiving role and terms of employment and three hours
17 of safety training. The training partnership identified in RCW
18 74.39A.360 must offer at least 12 of the 14 hours online, and five of
19 those online hours must be individually selected from elective
20 courses.

21 ~~((d))~~) (c) Individual providers identified in ~~((d))~~) (c)(i) or
22 (ii) of this subsection must complete 35 hours of training within the
23 first 120 days after becoming an individual provider. Five of the 35
24 hours must be completed before becoming eligible to provide care. Two
25 of these five hours shall be devoted to an orientation training
26 regarding an individual provider's role as caregiver and the
27 applicable terms of employment, and three hours shall be devoted to
28 safety training, including basic safety precautions, emergency
29 procedures, and infection control. Individual providers subject to
30 this requirement include:

31 (i) (A) Unless covered by (a) of this subsection, an individual
32 provider caring only for the individual provider's child or parent,
33 including when related by marriage or domestic partnership;

34 (B) An individual provider caring only for the individual
35 provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent,
36 or grandchild, including when related by marriage or domestic
37 partnership;

38 (ii) A person working as an individual provider who provides 20
39 hours or less of care for one person in any calendar month; and

1 (iii) A long-term care worker providing approved services only
2 for a spouse or registered domestic partner and funded through the
3 United States department of veterans affairs home and community-based
4 programs.

5 (2) In computing the time periods in this section, the first day
6 is the date of hire.

7 (3) Only training curriculum approved by the department may be
8 used to fulfill the training requirements specified in this section.
9 The department shall only approve training curriculum that:

10 (a) Has been developed with input from consumer and worker
11 representatives; and

12 (b) Requires comprehensive instruction by qualified instructors.

13 (4) If a pandemic, natural disaster, or other declared state of
14 emergency impacts the ability of long-term care workers to complete
15 training as required by this section, the department may adopt rules
16 to allow long-term care workers additional time to complete the
17 training requirements.

18 (a) Rules adopted under this subsection (4) are effective until
19 the termination of the pandemic, natural disaster, or other declared
20 state of emergency or until the department determines that all long-
21 term care workers who were unable to complete the training required
22 in subsection (1) of this section have had adequate access to
23 complete the required training, whichever is later. Once the
24 department determines a rule adopted under this subsection (4) is no
25 longer necessary, it must repeal the rule under RCW 34.05.353.

26 (b) Within 12 months of the termination of the pandemic, natural
27 disaster, or other declared state of emergency, the department shall
28 conduct a review of training compliance with subsection (1) of this
29 section and provide the legislature with a report.

30 (5) The department shall adopt rules to implement this section.

31 **Sec. 2.** RCW 18.88B.041 and 2024 c 322 s 1 are each amended to
32 read as follows:

33 (1) The following long-term care workers are not required to
34 become a certified home care aide pursuant to this chapter:

35 (a) (i) (A) Registered nurses, licensed practical nurses, certified
36 nursing assistants or persons who are in an approved training program
37 for certified nursing assistants under chapter 18.88A RCW, medicare-
38 certified home health aides, or other persons who hold a similar
39 health credential, as determined by the secretary, or persons with

1 special education training and an endorsement granted by the
2 superintendent of public instruction, as described in RCW
3 28A.300.010, if the secretary determines that the circumstances do
4 not require certification.

5 (B) A person who was initially hired as a long-term care worker
6 prior to January 7, 2012, and who completes all of the training
7 requirements in effect as of the date the person was hired.

8 (ii) Individuals exempted by (a)(i) of this subsection may obtain
9 certification as a home care aide without fulfilling the training
10 requirements in RCW 74.39A.074(1)(d)(ii) but must successfully
11 complete a certification examination pursuant to RCW 18.88B.031.

12 (b) All long-term care workers employed by community residential
13 service businesses.

14 (c)(i) An individual provider caring only for the individual
15 provider's child or parent, including when related by marriage or
16 domestic partnership; and

17 (ii) An individual provider caring only for the individual
18 provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent,
19 or grandchild, including when related by marriage or domestic
20 partnership.

21 (d) A person working as an individual provider who provides 20
22 hours or less of nonrespite care for one person in any calendar
23 month.

24 (e) A person working as an individual provider who only provides
25 respite services and works less than 300 hours in any calendar year.

26 ~~(f) ((A long-term care worker providing approved services only
27 for a spouse or registered domestic partner, pursuant to the long-
28 term services and supports trust program established in chapter
29 50B.04 RCW.~~

30 ~~(g))~~ A long-term care worker providing approved services only
31 for a spouse or registered domestic partner and funded through the
32 United States department of veterans affairs home and community-based
33 programs.

34 (2) A long-term care worker exempted by this section from the
35 training requirements contained in RCW 74.39A.074 may not be
36 prohibited from enrolling in training pursuant to that section.

37 (3) The department shall adopt rules to implement this section.

38 **Sec. 3.** RCW 43.79A.040 and 2024 c 327 s 16 and 2024 c 168 s 10
39 are each reenacted and amended to read as follows:

1 (1) Money in the treasurer's trust fund may be deposited,
2 invested, and reinvested by the state treasurer in accordance with
3 RCW 43.84.080 in the same manner and to the same extent as if the
4 money were in the state treasury, and may be commingled with moneys
5 in the state treasury for cash management and cash balance purposes.

6 (2) All income received from investment of the treasurer's trust
7 fund must be set aside in an account in the treasury trust fund to be
8 known as the investment income account.

9 (3) The investment income account may be utilized for the payment
10 of purchased banking services on behalf of treasurer's trust funds
11 including, but not limited to, depository, safekeeping, and
12 disbursement functions for the state treasurer or affected state
13 agencies. The investment income account is subject in all respects to
14 chapter 43.88 RCW, but no appropriation is required for payments to
15 financial institutions. Payments must occur prior to distribution of
16 earnings set forth in subsection (4) of this section.

17 (4) (a) Monthly, the state treasurer must distribute the earnings
18 credited to the investment income account to the state general fund
19 except under (b), (c), and (d) of this subsection.

20 (b) The following accounts and funds must receive their
21 proportionate share of earnings based upon each account's or fund's
22 average daily balance for the period: The 24/7 sobriety account, the
23 Washington promise scholarship account, the Gina Grant Bull memorial
24 legislative page scholarship account, the Rosa Franklin legislative
25 internship program scholarship account, the Washington advanced
26 college tuition payment program account, the Washington college
27 savings program account, the accessible communities account, the
28 Washington achieving a better life experience program account, the
29 Washington career and college pathways innovation challenge program
30 account, the community and technical college innovation account, the
31 agricultural local fund, the American Indian scholarship endowment
32 fund, the behavioral health loan repayment and scholarship program
33 account, the Billy Frank Jr. national statuary hall collection fund,
34 the foster care scholarship endowment fund, the foster care endowed
35 scholarship trust fund, the contract harvesting revolving account,
36 the Washington state combined fund drive account, the commemorative
37 works account, the county 911 excise tax account, the county road
38 administration board emergency loan account, the toll collection
39 account, the developmental disabilities endowment trust fund, the
40 energy account, the energy facility site evaluation council account,

1 the fair fund, the family and medical leave insurance account, the
2 Fern Lodge maintenance account, the fish and wildlife federal lands
3 revolving account, the natural resources federal lands revolving
4 account, the food animal veterinarian conditional scholarship
5 account, the forest health revolving account, the fruit and vegetable
6 inspection account, the educator conditional scholarship account, the
7 game farm alternative account, the GET ready for math and science
8 scholarship account, the Washington global health technologies and
9 product development account, the grain inspection revolving fund, the
10 Washington history day account, the industrial insurance rainy day
11 fund, the juvenile accountability incentive account, the law
12 enforcement officers' and firefighters' plan 2 expense fund, the
13 local tourism promotion account, the low-income home rehabilitation
14 account, the medication for people living with HIV rebate revenue
15 account, the homeowner recovery account, the multiagency permitting
16 team account, the northeast Washington wolf-livestock management
17 account, the pollution liability insurance program trust account, the
18 produce railcar pool account, the public use general aviation airport
19 loan revolving account, the regional transportation investment
20 district account, the rural rehabilitation account, the Washington
21 sexual assault kit account, the stadium and exhibition center
22 account, the youth athletic facility account, the self-insurance
23 revolving fund, the children's trust fund, the Washington horse
24 racing commission Washington bred owners' bonus fund and breeder
25 awards account, the Washington horse racing commission class C purse
26 fund account, the individual development account program account, the
27 Washington horse racing commission operating account, the life
28 sciences discovery fund, the Washington state library-archives
29 building account, the reduced cigarette ignition propensity account,
30 the center for deaf and hard of hearing youth account, the school for
31 the blind account, the Millersylvania park trust fund, the public
32 employees' and retirees' insurance reserve fund, the school
33 employees' benefits board insurance reserve fund, the public
34 employees' and retirees' insurance account, the school employees'
35 insurance account, (~~the long-term services and supports trust~~
36 ~~account,~~) the radiation perpetual maintenance fund, the Indian
37 health improvement reinvestment account, the department of licensing
38 tuition recovery trust fund, the student achievement council tuition
39 recovery trust fund, the tuition recovery trust fund, the industrial
40 insurance premium refund account, the mobile home park relocation

1 fund, the natural resources deposit fund, the Washington state health
2 insurance pool account, the federal forest revolving account, the
3 Washington saves administrative treasury trust account, and the
4 library operations account.

5 (c) The following accounts and funds must receive 80 percent of
6 their proportionate share of earnings based upon each account's or
7 fund's average daily balance for the period: The advance right-of-way
8 revolving fund, the advanced environmental mitigation revolving
9 account, the federal narcotics asset forfeitures account, the high
10 occupancy vehicle account, the local rail service assistance account,
11 and the miscellaneous transportation programs account.

12 (d) Any state agency that has independent authority over accounts
13 or funds not statutorily required to be held in the custody of the
14 state treasurer that deposits funds into a fund or account in the
15 custody of the state treasurer pursuant to an agreement with the
16 office of the state treasurer shall receive its proportionate share
17 of earnings based upon each account's or fund's average daily balance
18 for the period.

19 (5) In conformance with Article II, section 37 of the state
20 Constitution, no trust accounts or funds shall be allocated earnings
21 without the specific affirmative directive of this section.

22 **Sec. 4.** RCW 43.79A.040 and 2024 c 327 s 17 and 2024 c 168 s 11
23 are each reenacted and amended to read as follows:

24 (1) Money in the treasurer's trust fund may be deposited,
25 invested, and reinvested by the state treasurer in accordance with
26 RCW 43.84.080 in the same manner and to the same extent as if the
27 money were in the state treasury, and may be commingled with moneys
28 in the state treasury for cash management and cash balance purposes.

29 (2) All income received from investment of the treasurer's trust
30 fund must be set aside in an account in the treasury trust fund to be
31 known as the investment income account.

32 (3) The investment income account may be utilized for the payment
33 of purchased banking services on behalf of treasurer's trust funds
34 including, but not limited to, depository, safekeeping, and
35 disbursement functions for the state treasurer or affected state
36 agencies. The investment income account is subject in all respects to
37 chapter 43.88 RCW, but no appropriation is required for payments to
38 financial institutions. Payments must occur prior to distribution of
39 earnings set forth in subsection (4) of this section.

1 (4) (a) Monthly, the state treasurer must distribute the earnings
2 credited to the investment income account to the state general fund
3 except under (b), (c), and (d) of this subsection.

4 (b) The following accounts and funds must receive their
5 proportionate share of earnings based upon each account's or fund's
6 average daily balance for the period: The 24/7 sobriety account, the
7 Washington promise scholarship account, the Gina Grant Bull memorial
8 legislative page scholarship account, the Rosa Franklin legislative
9 internship program scholarship account, the Washington advanced
10 college tuition payment program account, the Washington college
11 savings program account, the accessible communities account, the
12 Washington achieving a better life experience program account, the
13 Washington career and college pathways innovation challenge program
14 account, the community and technical college innovation account, the
15 agricultural local fund, the American Indian scholarship endowment
16 fund, the behavioral health loan repayment and scholarship program
17 account, the Billy Frank Jr. national statuary hall collection fund,
18 the foster care scholarship endowment fund, the foster care endowed
19 scholarship trust fund, the contract harvesting revolving account,
20 the Washington state combined fund drive account, the commemorative
21 works account, the county 911 excise tax account, the county road
22 administration board emergency loan account, the toll collection
23 account, the developmental disabilities endowment trust fund, the
24 energy account, the energy facility site evaluation council account,
25 the fair fund, the family and medical leave insurance account, the
26 Fern Lodge maintenance account, the fish and wildlife federal lands
27 revolving account, the natural resources federal lands revolving
28 account, the food animal veterinarian conditional scholarship
29 account, the forest health revolving account, the fruit and vegetable
30 inspection account, the educator conditional scholarship account, the
31 game farm alternative account, the GET ready for math and science
32 scholarship account, the Washington global health technologies and
33 product development account, the grain inspection revolving fund, the
34 Washington history day account, the industrial insurance rainy day
35 fund, the juvenile accountability incentive account, the law
36 enforcement officers' and firefighters' plan 2 expense fund, the
37 local tourism promotion account, the low-income home rehabilitation
38 account, the medication for people living with HIV rebate revenue
39 account, the homeowner recovery account, the multiagency permitting
40 team account, the northeast Washington wolf-livestock management

1 account, the produce railcar pool account, the public use general
2 aviation airport loan revolving account, the regional transportation
3 investment district account, the rural rehabilitation account, the
4 Washington sexual assault kit account, the stadium and exhibition
5 center account, the youth athletic facility account, the self-
6 insurance revolving fund, the children's trust fund, the Washington
7 horse racing commission Washington bred owners' bonus fund and
8 breeder awards account, the Washington horse racing commission class
9 C purse fund account, the individual development account program
10 account, the Washington horse racing commission operating account,
11 the life sciences discovery fund, the Washington state library-
12 archives building account, the reduced cigarette ignition propensity
13 account, the center for deaf and hard of hearing youth account, the
14 school for the blind account, the Millersylvania park trust fund, the
15 public employees' and retirees' insurance reserve fund, the school
16 employees' benefits board insurance reserve fund, the public
17 employees' and retirees' insurance account, the school employees'
18 insurance account, (~~the long-term services and supports trust~~
19 ~~account,~~) the radiation perpetual maintenance fund, the Indian
20 health improvement reinvestment account, the department of licensing
21 tuition recovery trust fund, the student achievement council tuition
22 recovery trust fund, the tuition recovery trust fund, the industrial
23 insurance premium refund account, the mobile home park relocation
24 fund, the natural resources deposit fund, the Washington state health
25 insurance pool account, the federal forest revolving account, the
26 Washington saves administrative treasury trust account, and the
27 library operations account.

28 (c) The following accounts and funds must receive 80 percent of
29 their proportionate share of earnings based upon each account's or
30 fund's average daily balance for the period: The advance right-of-way
31 revolving fund, the advanced environmental mitigation revolving
32 account, the federal narcotics asset forfeitures account, the high
33 occupancy vehicle account, the local rail service assistance account,
34 and the miscellaneous transportation programs account.

35 (d) Any state agency that has independent authority over accounts
36 or funds not statutorily required to be held in the custody of the
37 state treasurer that deposits funds into a fund or account in the
38 custody of the state treasurer pursuant to an agreement with the
39 office of the state treasurer shall receive its proportionate share

1 of earnings based upon each account's or fund's average daily balance
2 for the period.

3 (5) In conformance with Article II, section 37 of the state
4 Constitution, no trust accounts or funds shall be allocated earnings
5 without the specific affirmative directive of this section.

6 **Sec. 5.** RCW 44.44.040 and 2022 c 233 s 9 are each amended to
7 read as follows:

8 The office of the state actuary shall have the following powers
9 and duties:

10 (1) Perform all actuarial services for the department of
11 retirement systems, including all studies required by law.

12 (2) Advise the legislature and the governor regarding pension
13 benefit provisions, and funding policies and investment policies of
14 the state investment board.

15 (3) Consult with the legislature and the governor concerning
16 determination of actuarial assumptions used by the department of
17 retirement systems.

18 (4) Prepare a report, to be known as the actuarial fiscal note,
19 on each pension bill introduced in the legislature which briefly
20 explains the financial impact of the bill. The actuarial fiscal note
21 shall include: (a) The statutorily required contribution for the
22 biennium and the following twenty-five years; (b) the biennial cost
23 of the increased benefits if these exceed the required contribution;
24 and (c) any change in the present value of the unfunded accrued
25 benefits. An actuarial fiscal note shall also be prepared for all
26 amendments which are offered in committee or on the floor of the
27 house of representatives or the senate to any pension bill. However,
28 a majority of the members present may suspend the requirement for an
29 actuarial fiscal note for amendments offered on the floor of the
30 house of representatives or the senate.

31 (5) Provide such actuarial services to the legislature as may be
32 requested from time to time.

33 (6) Provide staff and assistance to the committee established
34 under RCW 41.04.276.

35 (7) Provide actuarial assistance to the law enforcement officers'
36 and firefighters' plan 2 retirement board as provided in chapter 2,
37 Laws of 2003. Reimbursement for services shall be made to the state
38 actuary under RCW 39.34.130 and section 5(5), chapter 2, Laws of
39 2003.

1 (8) Provide actuarial assistance to the committee on advanced
2 tuition payment pursuant to chapter 28B.95 RCW, including
3 recommending a tuition unit price to the committee on advanced
4 tuition payment to be used in the ensuing enrollment period.
5 Reimbursement for services shall be made to the state actuary under
6 RCW 39.34.130.

7 ~~(9) ((Provide actuarial assistance to the long-term services and
8 supports trust commission pursuant to chapter 50B.04 RCW.
9 Reimbursement for services shall be made to the state actuary under
10 RCW 39.34.130.~~

11 ~~(10))~~ Provide actuarial assistance, as requested by the
12 employment security department or the office of financial management,
13 to the employment security department related to the family and
14 medical leave program in Title 50A RCW.

15 NEW SECTION. **Sec. 6.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 50B.04.010 (Definitions) and 2024 c 120 s 3, 2021 c 113 s
18 1, 2020 c 98 s 1, & 2019 c 363 s 2;

19 (2) RCW 50B.04.020 (Duties—Health care authority, department of
20 social and health services, office of the state actuary, employment
21 security department) and 2024 c 120 s 4, 2022 c 1 s 1, 2021 c 113 s
22 2, 2020 c 98 s 2, & 2019 c 363 s 3;

23 (3) RCW 50B.04.030 (Long-term services and supports trust
24 commission—Investment strategy subcommittee) and 2022 c 1 s 2, 2021 c
25 113 s 3, & 2019 c 363 s 4;

26 (4) RCW 50B.04.040 (Long-term services and supports council—
27 Benefit unit adjustment) and 2019 c 363 s 5;

28 (5) RCW 50B.04.050 (Qualified individuals) and 2024 c 120 s 5;

29 (6) RCW 50B.04.055 (Exemptions—Voluntary exemptions—Criteria,
30 rules, and procedures—Discontinuing—Notification) and 2022 c 2 s 2;

31 (7) RCW 50B.04.060 (Eligible beneficiaries—Determination—
32 Services and benefits) and 2024 c 120 s 6, 2022 c 1 s 4, & 2019 c 363
33 s 7;

34 (8) RCW 50B.04.070 (Payment of benefits) and 2024 c 120 s 7 &
35 2019 c 363 s 8;

36 (9) RCW 50B.04.080 (Premium assessment—Rate—Collection) and 2022
37 c 2 s 1, 2022 c 1 s 5, 2020 c 98 s 4, & 2019 c 363 s 9;

1 (10) RCW 50B.04.085 (Premium assessment—Exemptions) and 2021 c
2 113 s 5 & 2020 c 98 s 7;

3 (11) RCW 50B.04.088 (Premium assessment—Refunds for premiums
4 collected prior to July 1, 2023) and 2022 c 1 s 8;

5 (12) RCW 50B.04.090 (Election of coverage—Self-employed persons)
6 and 2022 c 1 s 6, 2021 c 113 s 6, 2020 c 98 s 5, & 2019 c 363 s 10;

7 (13) RCW 50B.04.095 (Election of coverage—Federally recognized
8 tribe) and 2021 c 113 s 7;

9 (14) RCW 50B.04.100 (Long-term services and supports trust
10 account) and 2024 c 120 s 8 & 2019 c 363 s 11;

11 (15) RCW 50B.04.110 (Long-term services and supports trust
12 account—Investment—Policies) and 2019 c 363 s 12;

13 (16) RCW 50B.04.120 (Appeal of determinations) and 2020 c 98 s 6
14 & 2019 c 363 s 13;

15 (17) RCW 50B.04.130 (Medicare data and waiver—Report) and 2019 c
16 363 s 14;

17 (18) RCW 50B.04.140 (Reports to legislature) and 2022 c 1 s 7 &
18 2019 c 363 s 15;

19 (19) RCW 50B.04.150 (Benefits not income or resource) and 2019 c
20 363 s 16;

21 (20) RCW 50B.04.160 (Entitlement not created) and 2019 c 363 s
22 17;

23 (21) RCW 50B.04.170 (Confidentiality of information and records)
24 and 2022 c 18 s 1;

25 (22) RCW 50B.04.180 (Out-of-state participants—Reporting—
26 Collection of wages) and 2024 c 120 s 2;

27 (23) RCW 50B.04.200 (Prohibition against discrimination) and 2024
28 c 120 s 9;

29 (24) RCW 50B.04.900 (Findings—2019 c 363) and 2019 c 363 s 1; and

30 (25) RCW 43.09.480 (Long-term services and supports trust program
31 —Audit—Report) and 2019 c 363 s 18.

32 NEW SECTION. **Sec. 7.** Section 3 of this act expires July 1,
33 2030.

34 NEW SECTION. **Sec. 8.** Section 4 of this act takes effect July 1,
35 2030.

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