

EHB 2965 - S AMD 1258

By Senator Braun

ADOPTED 03/04/2020

1 On page 3, beginning on line 5, strike all of section 4 and
2 insert the following:

3 "NEW SECTION. **Sec. 4.** (1) The department of social and health
4 services is authorized to determine nursing facility payments to
5 adequately resource facilities responding to the novel coronavirus
6 outbreak pursuant to the gubernatorial declaration of emergency of
7 February 29, 2020. The medicaid payments provided to nursing
8 facilities in response to this state of emergency shall be determined
9 by the department as appropriate to address the immediate safety
10 needs of Washington state citizens and shall not be subject to this
11 chapter's medicaid methodology. Any nursing facility payment made
12 under this section shall not be included in the calculation of the
13 annual statewide weighted average nursing facility payment rate.

14 (2) This section expires June 30, 2021.

15 **Sec. 5.** RCW 50.20.010 and 2019 c 50 s 1 are each amended to read
16 as follows:

17 (1) An unemployed individual shall be eligible to receive waiting
18 period credits or benefits with respect to any week in his or her
19 eligibility period only if the commissioner finds that:

20 (a) He or she has registered for work at, and thereafter has
21 continued to report at, an employment office in accordance with such
22 regulation as the commissioner may prescribe, except that the
23 commissioner may by regulation waive or alter either or both of the
24 requirements of this subdivision as to individuals attached to
25 regular jobs and as to such other types of cases or situations with
26 respect to which the commissioner finds that the compliance with such
27 requirements would be oppressive, or would be inconsistent with the
28 purposes of this title;

29 (b) He or she has filed an application for an initial
30 determination and made a claim for waiting period credit or for
31 benefits in accordance with the provisions of this title;

1 (c) He or she is able to work, and is available for work in any
2 trade, occupation, profession, or business for which he or she is
3 reasonably fitted.

4 (i) To be available for work, an individual must be ready, able,
5 and willing, immediately to accept any suitable work which may be
6 offered to him or her and must be actively seeking work pursuant to
7 customary trade practices and through other methods when so directed
8 by the commissioner or the commissioner's agents. If a labor
9 agreement or dispatch rules apply, customary trade practices must be
10 in accordance with the applicable agreement or rules.

11 (ii) Until June 30, 2021, an individual under quarantine or
12 isolation, as defined by the department of health, as directed by a
13 public health official during the novel coronavirus outbreak pursuant
14 to the gubernatorial declaration of emergency of February 29, 2020,
15 does not need to meet the requirements of this subsection (1)(c).

16 (iii) For the purposes of this subsection, "customary trade
17 practices" includes compliance with an electrical apprenticeship
18 training program that includes a recognized referral system under
19 apprenticeship program standards approved by the Washington state
20 apprenticeship and training council;

21 (d) He or she has been unemployed for a waiting period of one
22 week;

23 (e) He or she participates in reemployment services if the
24 individual has been referred to reemployment services pursuant to the
25 profiling system established by the commissioner under RCW 50.20.011,
26 unless the commissioner determines that:

27 (i) The individual has completed such services; or

28 (ii) There is justifiable cause for the claimant's failure to
29 participate in such services; and

30 (f) As to weeks beginning after March 31, 1981, which fall within
31 an extended benefit period as defined in RCW 50.22.010, the
32 individual meets the terms and conditions of RCW 50.22.020 with
33 respect to benefits claimed in excess of twenty-six times the
34 individual's weekly benefit amount.

35 (2) An individual's eligibility period for regular benefits shall
36 be coincident to his or her established benefit year. An individual's
37 eligibility period for additional or extended benefits shall be the
38 periods prescribed elsewhere in this title for such benefits.

1 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
2 conflict with federal requirements that are a prescribed condition to
3 the allocation of federal funds to the state or the eligibility of
4 employers in this state for federal unemployment tax credits, the
5 conflicting part of this act is inoperative solely to the extent of
6 the conflict, and the finding or determination does not affect the
7 operation of the remainder of this act. Rules adopted under this act
8 must meet federal requirements that are a necessary condition to the
9 receipt of federal funds by the state or the granting of federal
10 unemployment tax credits to employers in this state."

11 Renumber the remaining section consecutively and correct any
12 internal references accordingly.

EHB 2965 - S AMD **1258**

By Senator Braun

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13 On page 1, line 2 of the title, after "38.52.105" strike "
14 adding a new section to chapter 74.46 RCW;" and insert "and
15 50.20.010; creating new sections;" and on line 3, after
16 "appropriations;" insert "providing an expiration date;"

EFFECT: (1) Limits the determination of nursing facility payments to the current coronavirus declared emergency and expires this language June 30, 2021.

(2) Provides that until June 30, 2021, an individual under quarantine or isolation during the novel coronavirus outbreak does not need to meet the requirement that an individual be able and available to work in order to be eligible to receive unemployment insurance benefits.

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