

SENATE BILL REPORT

SHB 1288

As of March 14, 2023

Title: An act relating to the department of veterans affairs regarding exempt staff and exempt staff appointments, removing reference to one-time use of funds, and exempting veteran discharge papers from public disclosure.

Brief Description: Concerning the department of veterans affairs.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Reeves, Ryu, Morgan and Graham; by request of Department of Veterans Affairs).

Brief History: Passed House: 2/28/23, 97-0.

Committee Activity: State Government & Elections: 3/14/23.

Brief Summary of Bill

- Requires the Director of the Washington Department of Veterans Affairs (WDVA) to appoint a director of nursing services for each state veterans home.
- Exempts certain WDVA personnel from the state civil service law.
- Repeals statutes relating to the Colony of the State Soldiers' Home and domiciliary care at state veterans homes.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Staff: Danielle Creech (786-7412)

Background: Department of Veterans Affairs. The Washington Department of Veterans Affairs (WDVA) provides many services and benefits to veterans and their families, including counseling, employment, education, training, burial, housing, medical care, and relief programs. The director of the WDVA conducts, controls, and supervises the WDVA. The director also holds the power to appoint and employ personnel for the WDVA,

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including assistants and executive staff.

State Civil Service Law. State civil service law governs the appointment, promotion, transfer, layoff, removal, discipline, and welfare of most state agency employees. State civil service law applies to most state agency employees, unless expressly excluded. For example, civil service law does not apply to the legislative branch, the judiciary, academic personnel, state patrol officers, the chief executive officers of each agency, and certain other management staff. A number of exempt positions are expressly designated for various state agencies. The following personnel in the WDVA are exempt: the director, the deputy director, no more than two assistant directors, a confidential secretary for the deputy director, and a confidential secretary for each assistant director.

Veteran' Homes. The WDVA operates four veterans homes, open to eligible veterans—the Washington Soldiers Home in Orting; the Washington Veterans Home in Retsil; the Spokane Veterans Home; and the Walla Walla Veterans Home. The Washington Soldiers Colony in Orting no longer has any residents and is no longer funded. The domiciliary program has been discontinued and replaced with the transitional housing program, which focuses on transitions back into the community.

In 2001, the Legislature stated its intent that in authorizing the establishment of an eastern Washington veterans home, the state general fund may not be used to provide support for the home except for amounts required to pay the state share of Medicaid costs.

The director is required to appoint an administrator to manage each veterans home. Each administrator must be licensed by the Department of Health as a nursing home administrator. State veterans homes are authorized to provide both domiciliary and nursing care. The WDVA has previously operated a Domiciliary Program, but the program was discontinued in 2020.

Veterans Stewardship Account. The Veterans Stewardship Account, established in 2005, may be used by the WDVA for activities that benefit veterans and their families, including but not limited to, programs and services for homeless veterans, establishing memorials honoring veterans, and maintaining a future state veterans cemetery.

Summary of Bill: Veterans Homes. The director of the WDVA is required to appoint a director of nursing services for each state veterans home. The director of nursing services in each state veterans home must be a registered nurse licensed in Washington.

The statute authorizing the state veterans homes to provide both domiciliary and nursing care is repealed.

Statutes establishing the Colony of the State Soldiers Home, setting out admission requirements for the Colony of the State Soldiers Home, and specifying that members of the Colony of the State Soldiers Home are members of the state soldiers' home are repealed.

The statute stating the Legislature's intent that the state general fund may not be used to support a veterans home in Eastern Washington is repealed.

State Civil Service Law. Administrators and directors of nursing services at each state veterans home are added to the list of personnel within the WDVA exempt from the state civil service law.

Veterans Stewardship Account. The Veterans Stewardship Account may be used by the WDVA to maintain state veterans cemeteries.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a simple agency request bill that aligns the work the Washington Department of Veteran's Affairs does with the needs of Washington veterans. We want to give our veterans the highest quality of care. This bill does not add any positions, but moves the director of nursing services position from Washington Management Service to Emergency Medical Services, with the purpose of removing this position from civil service provisions. This will allow greater flexibility in hiring and retention in this position.

Persons Testifying: PRO: Representative Kristine Reeves, Prime Sponsor; Heidi Audette, WDVA.

Persons Signed In To Testify But Not Testifying: No one.