

SENATE BILL REPORT

SB 5606

As of February 25, 2025

Title: An act relating to providing sufficient funding for the Washington state long-term care ombuds program.

Brief Description: Providing sufficient funding for the Washington state long-term care ombuds program.

Sponsors: Senators Bateman, Hasegawa and Nobles.

Brief History:

Committee Activity: Health & Long-Term Care: 2/14/25, 2/20/25 [DPS-WM].
Ways & Means: 2/25/25.

Brief Summary of First Substitute Bill

- Requires the Long-Term Care Ombuds Program to develop a funding recommendation that provides the program adequate and appropriate funding for the program to fulfill its' statutory obligations.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5606 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Orwall, Vice Chair; Muzzall, Ranking Member; Bateman, Chapman, Christian, Harris, Holy, Riccelli, Robinson and Slatter.

Staff: Julie Tran (786-7283)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Trevor Press (786-7446)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: The Washington State Long-Term Care Ombuds Program (LTC Ombuds Program) is a statewide, independent program that advocates solely on behalf of the individuals who live in licensed long-term care (LTC) settings.

LTC Ombuds Program advocates for residents of nursing homes, adult family homes, and assisted living facilities. Its purpose is to protect and promote the resident rights guaranteed to residents under federal and state law and regulations. Program staff and certified volunteers are trained to receive complaints and resolve problems in situations involving quality of care, use of restraints, transfer and discharge, abuse, and other aspects of resident dignity and rights.

In 2020, the Legislature appropriated funds to direct the Department of Commerce to make recommendations on a sustainable, transparent, and reactive funding model for the operation of the LTC Ombuds Program and to publish a report by December 2020. The report found that LTC Ombuds Program is able to resolve an average of 92 percent of complaints received by the program when LTC Ombuds Program operates on 58 percent of the recommended staffing level.

The report made two recommendations to the Legislature:

- increase state funding to fully meet Institute of Medicine guidelines as the increased funding will allow LTC Ombuds Program to adequately serve all residents in long-term care; and
- extend and expand the working group to identify alternative funding mechanisms.

Summary of Bill (First Substitute): LTC Ombuds Program, in partnership with the Department of Commerce and in consultation with the Office of Financial Management, must develop a funding recommendation that provides adequate and appropriate funding for LTC Ombuds Program to fulfill the program's statutory obligations.

The funding recommendations must:

- provide sufficient funding to achieve the ratio in alignment with the most recent recommendation by the Institute of Medicine;
- account for the growth in licensed LTC beds, as forecast by the caseload forecast council;
- account for any inflationary factors present in the consumer price index; and
- account for any Department of Commerce's administrative needs.

The Department of Commerce must submit the funding recommendations for consideration to the Office of Financial Management, the Senate Ways and Means Committee chair, and the House Appropriations Committee chair after June 1, 2026, and in each subsequent even-numbered years.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (First Substitute):

- Requires the Department of Commerce to submit the funding recommendation after June 1, 2026 and in each subsequent even-numbered years.

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 on Proposed Substitute (Health & Long-Term Care): *The committee recommended a different version of the bill than what was heard.*

PRO: The LTC Ombuds Program is critical to the overall LTC system and it needs to have staffing levels commensurate with how many people are in LTC settings. This bill is a way to plan ahead and a targeted approach. It creates a standard for what should be the baseline funding level. Currently, the program doesn't receive enough funding and it has been challenging for the LTC Ombuds Program to serve all of the residents. There is a need for a more consistent funding model.

OTHER: The proposed substitute addresses the timeline issues that concerned the Department of Commerce.

Persons Testifying (Health & Long-Term Care): PRO: Senator Jessica Bateman, Prime Sponsor; Melanie Smith, WA State Long Term Care Ombuds Program; Mike Reardon, Area Agency on Aging & Disabilities of Southwest Washington; Dana Gargus, Kitsap County Regional LTC Ombuds; Cathleen MacCaul, AARP Washington State; Alyssa Arley, A2z Elite Services.

OTHER: Dave Pringle, Dept. of Commerce.

Persons Signed In To Testify But Not Testifying (Health & Long-Term Care): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: This bill is meant to fix a problem with the LTC Ombuds Program. Because state law requires the LTC Ombuds Program to be outside of a state agency, it is not under the normal budgeting process and therefore does not get ML adjustments for inflation and at the same time the LTC Ombuds Program is getting more clients as more baby boomers retire. This bill is meant to satisfy the long-term obligations to the federal government to make sure that we can have an active LTC Ombuds Program that will serve all of the needs of residents by giving you all of the information you need to correctly fund this program. This bill just provides a

recommendation, not a requirement.

Persons Testifying (Ways & Means): PRO: Melanie Smith, WA State LTC Ombuds Program.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.