



## LTSS Trust Commission Meeting



# MEETING GUIDELINES

## Commission Members

- Please turn on video
- State muted unless talking
- Encourage active participation
- Raise hand to speak if necessary

## Observers

- Opportunity to provide public comment later in the meeting

# WELCOME & CALL TO ORDER



# MEETING GOALS

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- Approve Agency Administrative Expenses Report
- Approve Risk Management Framework
- Receive update on exemption applications
- Reach agreement on Commission Recommendations
- Receive update on WA Cares Fund Investment Plan
- Share 2022 meeting schedule
- Share agency supplemental budget requests

# CONSENT AGENDA

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- 9/23/2021 Commission meeting minutes

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# OLD BUSINESS

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Agency Administrative Expenses Report  
Risk Management Framework  
Exemption Applications

# AGENCY ADMINISTRATIVE EXPENSES REPORT

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- Approve report
- Identify volunteer to submit report

# RECAP OF RISK MANAGEMENT FRAMEWORK PROCESS

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- In October 2020, OSA recommended the Commission establish a risk management framework
- In December 2020, Commission formed a workgroup to develop a proposed framework
  - Workgroup met in May, June, and August of this year
  - Commission received updates from the workgroup (report-outs) at your July and September meetings
- Final proposed framework before you today
  - Full report included in meeting materials



# SUMMARY OF PROPOSED RISK MANAGEMENT FRAMEWORK

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**Funding Goals** (desired outcomes for the program)

- Provide secure and meaningful benefits at the lowest expected cost for beneficiaries now and in the future

**Risk Management Approaches** (to support funding goals)

- A “glidepath approach” that includes phases toward a fully funded status
- Phase 1 focuses on monitoring emerging experience, assessing results, and updating projections

**Risk Management Reporting and Metrics** (to support and inform those approaches)

- Comprised of both actuarial reporting and evaluating the meaningfulness of benefits over time

**Response Strategies** (when your funding goals are not met or are threatened)

- Strategic response
- Policy actions

# RISK MANAGEMENT FRAMEWORK – NEXT STEPS

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- Approve Risk Management Framework
- Share Risk Management Framework with other entities

# EXEMPTION APPLICATIONS

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As of November 8<sup>th</sup>, 11:59 pm

Total exemption applications received	358,751
Applications approved	181,634
Incomplete applications	2,026
Total applications processed	183,660
Percentage of Applications Processed	51.2%

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# OLD BUSINESS

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Commission Recommendations

# COMMISSION RECOMMENDATION TOPICS

- I. **Near retirees:** People nearing full retirement are unlikely to permanently vest. Those who retire before 2025 will have paid in for nearly three years without achieving even temporary vesting, while those who retire between 2025 and 2031 will have paid in 3-9 years without achieving permanent vesting.
- II. **Border-state residents commuting to work in WA:** Under current statute, people who live in Idaho or Oregon but work for a Washington employer pay premiums but cannot receive benefits unless they move to (“reside in”) Washington when they have a long-term care need. This impacts approximately 150,000 people who will begin paying premiums in 2022 and will affect many more in the decades to come.
- III. **Temporary workers with non-immigrant visas:** Temporary workers who have to return to their respective countries when their work visas expire will also be required to pay in, but they cannot receive benefits because they cannot remain in Washington long-term.
- IV. **People who leave the state:** Some workers leave the state either during their working years or after retirement. Some may have paid in less than 10 years and left before they could permanently vest, others will have vested and will be unable to claim benefits when they need LTC. Per the current statute, only people who reside in Washington when they need care can utilize WA Cares Fund benefits.
- V. **Constitutional amendment:** Joint Resolution to propose an amendment to the State Constitution concerning the investment of LTSS Trust funds

# NEW COMMISSION RECOMMENDATION TOPICS

- I. **Veterans rated as 70% to 100% service-connected disabled:** Veterans rated by the VA as 70% to 100% service-connected disabled have access to nursing home care through the VA. The Employment Security Department has determined that individuals who are rated by the VA as 70% to 100% service-connected disabled can qualify for an exemption under the current law. This exemption is only available temporarily, so veterans who are rated 70%-100% service-connected disabled November 1, 2021 or later are currently not eligible for this exemption.
- II. **Military spouses:** In order to remain with their active-duty military spouse, military spouses are essentially obliged to leave the state after three years. This would leave many military spouses unable to use benefits or vest permanently on the ten-year path.
- III. **Exemption recertifications:** Applicants are only required to attest to having long-term care (LTC) insurance purchased prior to November 1, 2021 to receive approval for an exemption from WA Cares participation. Individuals may not be truthful on their application for exemption. Individuals can cancel or fail to maintain their LTC insurance policy at any time after receiving approval for their exemption.

## Near Retirees

**Policy issue:** People nearing full retirement are unlikely to permanently vest. Those who retire before 2025 will have paid in for nearly three years without achieving even temporary vesting, while those who retire between 2025 and 2031 will have paid in 3-9 years without achieving permanent vesting.

- **Potential solution: Allow individuals who retire before they can reach permanent vesting status in 2032 to elect continuing coverage.** This option would allow workers to continue **contributing after retirement** by paying an annual premium equal to their average annual premium during their previous vesting years (adjusted for wage inflation) – **until they hit the ten-year mark**, at which point they would become **permanently vested and owe no further premiums.**
  - **Actuarial impact:** The potential cost to fund this measure is equivalent to +.03% (or three cents for every \$100 earned, if there is no adverse selection) to +.06% (or six cents for every \$100 earned, an impossible boundary case of maximum adverse selection)

### Pros

- Addresses problem of near retirees being required to pay for something that they can't claim
- Covers individuals who are often unable to get private insurance due to age, health status, or affordability
- Covers a larger population of people who would otherwise rely on Medicaid LTSS, which could result in additional Medicaid savings
- Predictable cost for retirees

### Cons

- Introduces some adverse selection. Lower risk, higher income individuals are more likely to stop contributing.
- Allows older generations to pay in less than future generations
- Administrative impact is high, no existing process or functionality to accept payment from individuals who are not employers or self-employed. With lead time for implementation, this option is possible.

# Border-state and Canadian residents commuting to work in WA

**Policy issue:** Under current statute, people who live in Idaho or Oregon but work for a Washington employer pay premiums but cannot receive benefits unless they move to (“reside in”) Washington when they have a long-term care need. This impacts approximately 150,000 people who will begin paying premiums in 2022 and will affect many more in the decades to come.

- **Potential solution: Automatically exclude individuals** from owing WA Cares Fund premiums **if their permanent home address is not in the state of Washington.** This is not a lifetime exemption. If they were to move to WA in the future, they would be included (owing premiums and earning vesting years). This impacts approximately 150,000 people who will begin paying premiums in 2022 and will affect many more in the decades to come.
  - **Actuarial impact:** The potential cost of this measure is equivalent to .03% (three cents for every \$100 earned).

## Pros

- Addresses problem of border state residents being required to pay for something that they can't claim
- Addresses concerns of employers in border regions regarding ability to retain and recruit workers who live across the border.

## Cons

- Adds administrative complexity for employers in border regions who have to identify employee address to determine whether or premiums are owed
- May add administrative complexity for ESD by introducing additional differences in administration of premiums for WA Cares Fund and PFML
- Administrative impact is moderate, rules about who pays in would vary from PFML (in addition to existing variance due to exemptions).



# Temporary workers with non-immigrant visas

**Policy issue:** Temporary workers who have to return to their respective countries when their work visas expire will be required to pay in, but they cannot receive benefits because they cannot remain in Washington long-term.

- **Potential solution:** Allow a **voluntary opt-out** on the basis of having a **non-immigrant work visa** (without needing to purchase private long-term care insurance). This would include people who are allowed to work in the U.S. temporarily under a variety of non-immigrant visas, including H2A agricultural workers and other specialized workers with visas issued by USCIS.

## Pros

- Addresses problem of people who leave the state and will not return for care having been required to pay for something that they can't claim

## Cons

- Vulnerable workers are not likely to become aware of the opportunity to opt out without significant outreach
- Introduces some adverse selection
- Increases scope of exemptions
- Administrative impact is low to moderate, functionality to process exemptions is in place, more staff needed beyond December 31, 2022, when the current exemption timeframe expires.

## People who leave the state

**Policy issue:** Some workers leave the state either during their working years or after retirement. Some may have paid in less than 10 years and left before they could permanently vest, others will have vested and will be unable to claim benefits when they need LTC. Per the current statute, only people who reside in Washington when they need care can utilize WA Cares Fund benefits.

- Five options explored in Commission workgroup to provide coverage or exemption
  - No options explored are feasible to recommend at this time
  - Cost to provide fully portable benefits is high (+0.36%, or 36 cents per \$100 earned)
  - Washington has three years to expand the provider network to serve Washingtonians
  - Nationalizing Washington's benefit before it's made available to Washingtonians poses significant risk to staff's ability to implement the program successfully in-state
  - This issue can be addressed in the future once benefits are available for Washingtonians
  - Other states are exploring similar programs, which if implemented, could increase the feasibility of a multi-state benefit
- **Potential solution:** The Commission recommends that DSHS conduct additional research on the issue of portability of benefits to develop options for a policy recommendation in the future.

# Joint Resolution to propose an amendment to the State Constitution concerning the investment of LTSS Trust funds

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- **Recommendation:** To allow the LTSS Trust Fund to be invested by the Washington State Investment Board in a full range of investments that helps ensure that the fund can pay benefits to eligible Washingtonians over the long-term and keep worker premiums low, the Commission recommends that the legislature propose a joint resolution for an amendment to the state constitution for consideration by voters in the **2022** general election.
- Options:
  - Recommend for a different year
  - Don't specify a year in the recommendation
  - Make no recommendation in this year's report

## NEW: Veterans rated as 70% to 100% service-connected disabled

**Policy issue:** Veterans rated by the VA as 70% to 100% service-connected disabled have access to nursing home care through the VA. The Employment Security Department has determined that individuals who are rated by the VA as 70% to 100% service-connected disabled can qualify for an exemption under the current law. This exemption is only available temporarily, so veterans who are rated 70%-100% service-connected disabled November 1, 2021 or later are currently not eligible for this exemption.

- **Potential solution:** Allow veterans to apply for a permanent exemption whenever they are rated between 70%-100% service-connected disabled by the VA, whether before November 1, 2021 or in the future (without needing to purchase private LTC insurance).
  - **Actuarial impact:** The potential cost to fund this measure is equivalent to +.005% (1/2 of one cent per \$100 earned)

### Pros

- Addresses the problem of those veterans who have access to long-term care through the VA being required to pay in to WA Cares Fund

### Cons

- Introduces some adverse selection
- Increases scope of exemptions and complexity of who qualifies for an exemption
- Administrative impact is low to moderate, functionality to process exemptions is in place, more staff needed to administer such exemptions beyond December 31, 2022

## NEW: Military spouses

**Policy issue:** In order to remain with their active-duty military spouse, military spouses are essentially obliged to leave the state after three years. This would leave many military spouses unable to use benefits or vest permanently on the ten-year path.

- **Potential solution:** A voluntary exemption for military spouses. Military spouses could apply to be permanently exempt on the basis of being married to an active-duty military member and living in WA.
  - **Actuarial impact:** The potential cost to fund this measure is equivalent to +.002% (1/5 of one cent per \$100 earned)

### Pros

- Addresses problem of military spouses being required to pay for something they may be unable to use
- Because voluntary, retains option for those military spouses who stay in Washington (while their spouse is on a tour of duty) to participate.

### Cons

- Introduces some modest adverse selection within small population of military spouses
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## NEW: Exemption recertifications

**Policy issue:** Applicants are only required to attest to having long-term care (LTC) insurance purchased prior to November 1, 2021 to receive approval for an exemption from WA Cares participation. Individuals may not be truthful on their application for exemption. Individuals can cancel or be unable to maintain their LTC insurance policy at any time after receiving approval for their exemption.

### Potential solution:

- Require individuals with approved exemptions to re-attest they have maintained their LTC policy when requested by the department, at an interval of no more frequently than annually and no less frequently than every 3 years.
- Establish criteria for what a private LTC insurance policy must include to qualify the individual for exemption.
- Grant ESD authority to withdraw approval of an exemption if an individual fails to re-attest or provide adequate proof of LTC insurance when requested. The withdrawal of an exemption approval would require an individual to participate in the program.
- Grant ESD authority to disclose exemption status to an individual's employer.

### Pros

- Make sure people maintain their policy
- Help to ensure people have LTC products that will take the place of participation in WA Cares
- ESD can support individuals who change their mind about their exemption status or could not maintain their coverage.
- May help to normalize the LTC insurance market in Washington.
- Increased participation in the program would likely have a positive impact on fund solvency.

### Challenges

- Increased administrative complexity and cost for the life of the program.
- If individuals are allowed or required to re-enroll in the program because of a failure to maintain private LTC insurance, they may not be able to contribute long enough to vest.
- Allowing individuals to re-enroll voluntarily may result in adverse selection.

# VOTE ON COMMISSION RECOMMENDATIONS

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- Near retirees
- Border state residents commuting to work in Washington
- Temporary workers with non-immigrant visas
- People who leave the state
- Constitutional amendment
- Veterans rated as 70% to 100% service-connected disabled
- Military spouses
- Exemption recertifications

## Near Retirees

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**BREAK**



**WA  
CARES  
FUND**





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# OLD BUSINESS

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WA Cares Fund Investment Plan

## WA CARES FUND – INVESTMENT PLAN UPDATE

**NOVEMBER 10, 2021**

**Allyson Tucker, Chief Investment Officer**

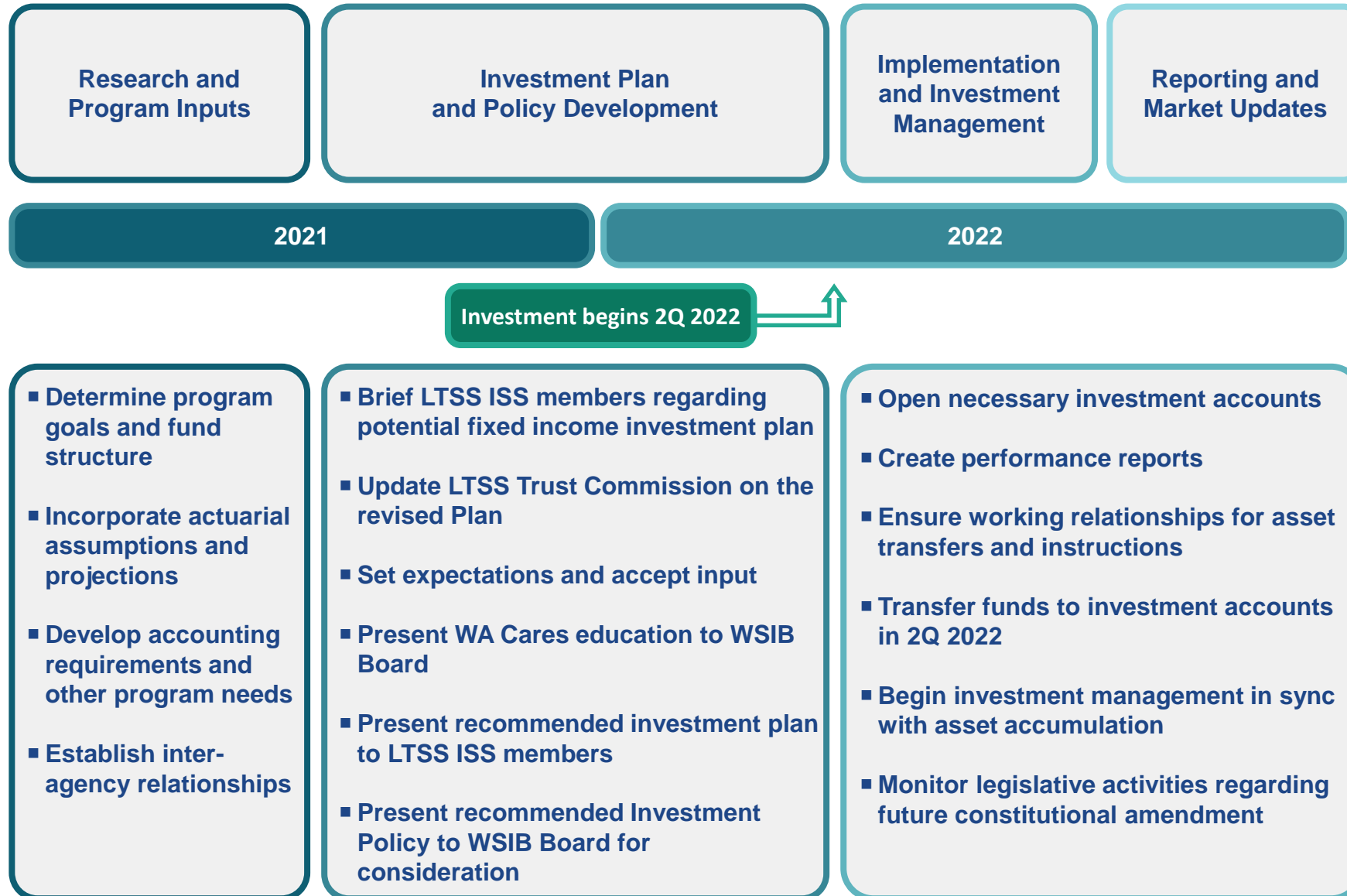


# AGENDA

- **Implementation Plan**
- **Background and Fund Characteristics**
- **Next Steps**
- **Contact Information**



# IMPLEMENTATION PLAN



# BACKGROUND AND FUND CHARACTERISTICS



As a newly established program, WA Cares will accumulate assets over time, funded by employee payroll deductions and investment earnings

The Office of the State Actuary has provided estimates of payroll deductions, benefit payments, and administrative costs for the program from 2022 to 2052

- Stable source of revenue
- Benefits assumptions project no payout before 2025
- Employee eligibility for the program includes a vesting period which contributes to net positive cash flows as the program ramps up and close to neutral annual cash flows toward the end of the projections

WA Cares stable source of funding, low forecasted payout ratio, and long investment horizon indicate the ability to bear a higher level of risk

The premiums will be invested in a new WSIB customized fixed income fund

<b>Next Steps</b>	
<b>November 2021</b>	<b>WSIB asks LTSS Trust Commission ISS to consider risk tolerance</b>
<b>November 2021</b>	<b>WSIB updates LTSS Trust Commission</b>
<b>December 2021</b>	<b>WA Cares education session provided to WSIB Board</b>
<b>March 2022</b>	<b>LTSS Trust Commission ISS provides feedback to WSIB on investment recommendation and policy</b>
<b>April 2022</b>	<b>WSIB invests initial premiums in cash</b>
<b>April 2022</b>	<b>WSIB Board considers WA Cares investment recommendation and policy for approval</b>
<b>April 2022</b>	<b>WSIB implements new investment strategy</b>

# CONTACT INFORMATION

## Web Site

- <http://www.sib.wa.gov>

## Address

- 2100 Evergreen Park Drive SW  
P.O. Box 40916  
Olympia, WA 98504

## Phone Number

- (360) 956-4600

The screenshot shows the Washington State Investment Board website. The header includes the logo and tagline "Investing with integrity, prudence, and skill" and a search bar. The main navigation menu lists: INVESTING (INVESTMENT REPORTS, ASSET CLASSES, ASSET STEWARDSHIP/ESG), INFORMING (BOARD & COMMITTEES, POLICIES, WSIB STAFF, INFOBITS & NEWS, CONTACT US), and EMPLOYING. The central banner features the text "Delivering investment results for retirement plans & public trusts" over a background image of silhouettes of people in a modern office. The footer contains four sections: POPULAR PICKS (INVESTMENT REPORTS, POLICIES), WSIB ESG REPORT (with a leaf icon), INFOBITS (ASSET CLASSES, FUNDS MANAGED, INVESTMENT BELIEFS, & MORE), and WSIB STORY (with a bar chart icon).

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# NEW BUSINESS

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2022 Commission meeting schedule

Agency supplemental budget requests



# 2022 COMMISSION MEETING SCHEDULE

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- April 18th 1:00 – 4:00
- June 1st 1:00 – 4:00
- September 13th 1:00 – 4:00
- November 10th 8:30 – 11:30
- December 9th 1:00 – 4:00 (if needed)

# AGENCY SUPPLEMENTAL BUDGET REQUESTS

## DSHS:

	FY22	FY23	Total
<b>21-23 Allocation</b>	\$	\$	\$
<b>2022 Supplemental Request</b>	\$1,278,000	\$1,792,000	\$3,070,000
<b>Total</b>	\$	\$	\$

- Conduct additional outreach
- Hire a customer care team to respond to inquiries about the program
- Hire additional administrative staff to support the LTSS Trust Commission
- Hire IT staff earlier than planned
- Procure IT Quality Assurance services earlier than planned

## DSHS/OSA:

	FY22	FY23	Total
<b>21-23 Allocation</b>	\$250,000	253,000	\$503,000
<b>2022 Supplemental Request</b>	\$250,000	\$247,000	\$497,000
<b>Total</b>	\$500,000	\$500,000	\$1,000,000

- Additional contracted actuarial analysis and consulting to support LTSS Trust Commission and workgroups
- Additional independent review of primary consultant's actuarial work
- Additional OSA time and expenses supporting the program

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# PUBLIC COMMENT

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Questions about WA Cares Fund?

- Visit [wacaresfund.wa.gov](https://wacaresfund.wa.gov)
- Submit questions to: [wacaresfund@dshs.wa.gov](mailto:wacaresfund@dshs.wa.gov)

# SET AGENDA FOR NEXT MEETING

## DECEMBER 10, 2021

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- Approve Commission Recommendations Report
- Receive OSA Solvency Report
- Update on Exemption applications
- Readiness for employer premium collections and wage reporting

# WRAP UP

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- Action items review
- Adjourn

THANK YOU



**WA**  
**CARES**  
**FUND**

