

From: [DSHS WA CARES Fund](#)
To: [Cleland, Sarah \(DSHS/ALISA/WACARES\)](#)
Subject: FW: Public comment for LTSS on May 1
Date: Monday, April 29, 2024 4:59:47 PM

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From: Elizabeth New [enew@washingtonpolicy.org]
Sent: 4/29/2024, 3:17 PM
To: wacaresfund@dshs.wa.gov
Subject: Public comment for LTSS on May 1

External Email

Commission members,

Thank you all for your time. During the 2024 legislative session, a portability bill passed that did not take on the full recommendation you all gave lawmakers.

The recommendation for portability depended on portability being done in a cost-neutral way and suggested doubling the number of hours worked in a year for all participants in the program for eligibility purposes. The portability legislation that passed, [House Bill 2467](#), did not increase the requirement for the number of hours worked. It also created two different ADL standards for in-state and out-of-state recipients. That creates a considerable difference in possible benefits for recipients.

Do you expect more solvency concerns because of the portability legislation that passed?

As for other recommendations the commission made, lawmakers did not take your recommendation that some exemptions be automatic or for a vestment criteria to be changed from 10 years without a break of five or more years to a simple 10 years. Will the commission recommend these changes again? Which lawmakers are you working with to bring these recommendations forward?

Finally, in last week's WA Cares webinar, an ESD employee said people had to keep LTCI to stay exempted. Later, a note was added below the webinar recording saying the employee misunderstood the question. ESD later told me it was up to Washingtonians with such exemptions "to decide whether to maintain or cancel your private long-term care policy."

Exemption letters did not mention the need for applicants to maintain their plans, and I don't see a

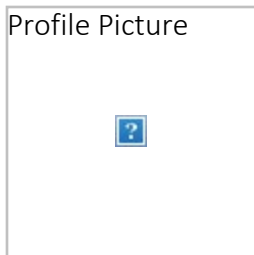
maintenance requirement in HB 1087. At the same time, this commission *has* discussed recertification. Lawmakers have also changed the law several times already in other ways. There was a bill proposed in 2023 that would prohibit recertification that died.

If lawmakers can change the law to require recertification, should ESD be giving this advice? It seems that if a person dropped his or her private LTCI plan, not only would they still be permanently unable to join WA Cares and one day possibly benefit, they might be required to pay the tax during their working years.

People are seeking answers. The insurance industry will be impacted further if the state is telling people they can drop their policies, too. I am sure the industry is wanting clarity since it is being told by the state to help workers make that decision.

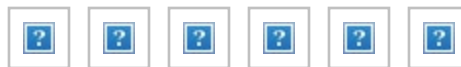
Thank you. I hear from a lot of people about WA Cares and follow the LTC law and policies related to it closely. I am in touch with private LTCI sellers and industry leaders in our state. I have applied to be on this oversight board, given an open seat, but I have not received an invitation. I am happy to be a resource to any of you at any time.

Onward,
Elizabeth



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