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CERTIFICATION OF ENROLLMENT

HOUSE BILL 1367

Chapter 5, Laws of 2021

67TH LEGISLATURE

2021 REGULAR SESSION

MEDICAID APPROPRIATIONS REVISIONS--COVID-19

EFFECTIVE DATE: February 19, 2021

HOUSE BILL 1367

Passed Legislature - 2021 Regular Session

State of Washington -- 67th Legislature -- 2021 Regular Session

By Representatives Ormsby, Bergquist, Ramos, Callan, Gregerson, Simmons, Berry, Sullivan, Leavitt, Kloba, Macri, Ramel, and Harris-Talley

Read first time 01/25/21. Referred to Committee on Appropriations.

AN ACT Relating to revising 2019-2021 fiscal biennium appropriations of state and federal funding for previously implemented medicaid rates and other medicaid expenditures in the developmental disabilities and long-term care programs in response to the COVID-19 pandemic; creating new sections; making appropriations; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES – DEVELOPMENTAL DISABILITIES PROGRAM – COMMUNITY SERVICES

Budget Stabilization Account – State Appropriation (FY 2021)	$54,671,000
General Fund – Federal Appropriation (2019-2021 biennium)	$79,886,000
	$134,557,000

The appropriations in this section are subject to the following conditions and limitations: The entire budget stabilization account – state appropriation for fiscal year 2021 and the entire general fund – federal appropriation (federal medical assistance percentage) are provided solely for COVID-19 response in calendar year 2020, including the temporary COVID-19 rate enhancements offered to contracted service providers.

NEW SECTION. Sec. 2. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES – AGING AND ADULT SERVICES

PROGRAM

Budget Stabilization Account – State Appropriation (FY 2021)	$109,589,000
General Fund – Federal Appropriation (2019-2021 biennium)	$159,494,000
	$269,083,000

The appropriations in this section are subject to the following conditions and limitations: The entire budget stabilization account – state appropriation for fiscal year 2021 and the entire general fund – federal appropriation (federal medical assistance percentage) are provided solely for COVID-19 response in calendar year 2020, including the temporary COVID-19 rate enhancements offered to contracted service providers.

NEW SECTION. Sec. 3. The legislature finds that in March 2020, congress enacted the coronavirus aid, relief and economic security act (CARES act), which created the coronavirus relief fund to assist states with unanticipated and unbudgeted coronavirus response costs, and that such funding had to be spent by December 30, 2020, or returned to the federal treasury. The legislature finds that the coronavirus response and relief supplemental appropriations act (CRRSA act) enacted December 27, 2020, extended the deadline before which coronavirus relief funds could be spent until December 31, 2021. The legislature finds the deadline extension provides an opportunity to reevaluate previous state expenditures of coronavirus relief funds. It is in the best interest of Washingtonians to maximize available federal funding from the coronavirus relief fund to the full extent permitted by federal law and to recognize its flexibility as a fund source to address the urgent needs of Washington's residents and businesses during the pandemic. For these reasons, in this act the legislature revises 2019-2021 biennial appropriations, including appropriations for fiscal year 2020, for funding provided to the developmental disabilities and long-term care programs in the department of social and health services for temporary rate increases authorized for service providers as a result of the state's response to the coronavirus. Specifically, appropriations are revised to attribute these expenditures to the state funding from the budget stabilization account and associated medicaid federal funds participation, rather than to federal funding from the coronavirus relief fund. The federal coronavirus relief fund moneys made available by the revisions in this act are appropriated in House Bill No. . . . (H-0476/21) (COVID-19 response) for the benefit of Washington's residents and businesses.

NEW SECTION. Sec. 4. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 5. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the House February 1, 2021.

Passed by the Senate February 10, 2021.

Approved by the Governor February 19, 2021.

Filed in Office of Secretary of State February 19, 2021.

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