

LTSS Trust Commission

| Meeting Minutes | | | |
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| Meeting Date | 5/25/2021 | Time | 1:00 to 3:00 |

| Attendees | | | |
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| Commission Members | | | |
| | Senator Karen Keiser | | Representative Paul Harris |
| ✓ | Representative Frank Chopp | ✓ | Representative Nicole Macri |
| ✓ | Senator Curtis King | | Representative Drew MacEwen |
| ✓ | ESD Acting Commissioner Cami Feek | ✓ | Taylor Linke Director, Division of Medicaid Eligibility & Community Support, HCA |
| | TBD, Individual receiving Long-Term Services and Supports | ✓ | Ruth Egger, Individual receiving Long-Term Services and Supports Designee |
| ✓ | Sarai Childs, Representative of an organization of employers whose members collect the premium | ✓ | John Ficker, Adult Family Home Providers Representative |
| ✓ | Peter Nazzal, Home Care Association Representative | ✓ | Michael Tucker, Representative of an organization representing retired persons |
| | | | Senator Judy Warnick |
| | | | Senator Steve Conway |
| | | | Bill Moss (Chair) Assistant Secretary, AL TSA, DSHS |
| | | | Madeline Foutch, Representative of a union representing LTC workers |
| | | | Andrew Nicholas, Worker who will likely be paying the premium |
| | | | Dan Murphy, Area Agencies on Aging Representative |
| | | | Lauri St. Ours, Representative of an association representing SNF/ALF providers |
| Guest Speakers | | | |
| ✓ | Don Clintsman, Acting DSHS Secretary | ✓ | Ben Veghte, WA Cares Fund Director, DSHS |
| ✓ | Matt Smith, State Actuary | ✓ | Emily Persky, ESD |
| | | | Lisa Kissler, ESD |

| Topic | Minutes |
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| Welcome and call to order | <ul style="list-style-type: none"> Meeting attendees indicated above. Bill Moss introduced Don Clintsman as the Acting DSHS Secretary. Don shared remarks about the program and how the Commission leadership will help DSHS’s Aging and Long-Term Support Administration carry out its mission to transform lives by promoting choice, independence and safety through innovative services. Bill introduced and welcomed Cami Feek, Acting ESD Commissioner, as a new Commission member. Bill reviewed the meeting goals. |
| Consent Agenda • <i>Minutes from 12/3/2020</i> | <ul style="list-style-type: none"> Senator King moved that the minutes from the 12-3-2020 meeting be accepted as submitted. Senator Conway seconded the motion. A voice vote was taken and the motion was passed. |



LTSS Trust Commission

| Topic | Minutes |
|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| New Business <ul style="list-style-type: none">• <i>Program Name – WA Cares Fund</i> | <ul style="list-style-type: none">• Ben Veghte shared that DSHS and ESD have been laying the groundwork for statewide public outreach and education about the program. An accessible and intuitive name was needed for the program so DSHS contracted with a marketing firm to help with this effort. To develop the name, the firm<ul style="list-style-type: none">○ Conducted interviews with senior program staff at ESD, HCA and DSHS, as well as key community stakeholders, including several represented on the Commission.○ Led a focus group of more than 300 Washingtonians• From this work we landed on the name WA Cares Fund for the LTSS Trust.• Through a collaborative effort between DSHS and ESD, the program website, wacaresfund.wa.gov, has been launched.• The LTSS Trust Commission will retain its name since it is a statutorily defined oversight body. |



LTSS Trust Commission

| Topic | Minutes |
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| <p>New Business</p> <ul style="list-style-type: none"> • <i>2021 Legislative Session Results – SHB 1323</i> | <ul style="list-style-type: none"> • Ben provided an overview of SHB 1323 that was passed by the legislature and signed by the Governor. This bill enacts many of the recommendations the Commission made to the legislature. The bill: <ul style="list-style-type: none"> ○ Removes the exclusion from coverage of adults who became disabled prior to the age of 18 ○ Clarifies that becoming a qualified individual (or vesting) under the three years within the last six years requirement is determined from the date of application for benefits. ○ Adds a requirement that the Commission work with insurers to develop long-term care insurance products what supplement the WA Cares Fund benefit. ○ Clarifies that private long-term care insurance policy holders must purchase coverage prior to November 1, 2021 in order to apply for the exemption from premium payments. ○ Adds a three-year window for self-employed individuals to opt in and removes the option to withdraw at will after one has opted in. ○ Adds the ability for ESD to verify premium payment compliance for self-employed individuals. ○ Allows federally recognized tribes to elect coverage so tribal employees are covered by the program and adds the ability for tribes that have opted in to coverage to opt out at any time. (Since January DSHS and ESD have been holding monthly sessions with tribal representatives to answer questions and have met with several tribal councils). ○ Adds a requirement that ESD conduct employer outreach in partnership with DSHS by October 1, 2021. <ul style="list-style-type: none"> ▪ Ben shared that work underway includes: <ul style="list-style-type: none"> • Webinars with ESD colleagues • Beginning customer research and branding work to map the landscape of our customers through deep qualitative interviews with consumers and community leaders. The research will be used to <ul style="list-style-type: none"> ○ Develop personas that represent different perspectives on the program among employees, the self-employed, providers and other interested parties. ○ Develop the WA Cares Fund brand identity, including a logos, taglines and messaging. • Spring/summer we’re doing a marketing and outreach campaign to build awareness and affinity for WA Cares Fund and in the fall the work will continue and we’ll begin engaging more on social media. ▪ Emily Persky from ESD provided an update on employer communications: <ul style="list-style-type: none"> • On the WA Cares Fund website <ul style="list-style-type: none"> ○ Employers can sign up for an employer e-newsletter, the first edition comes out this week ○ ESD has started building an employer tool kit that includes messages employers can share with their workers and they will build out the tool kit over the summer and fall. ○ Will be doing webinars and presentations to employers after Labor Day. |



LTSS Trust Commission

| Topic | Minutes |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>New Business <i>2021 Legislative Session Results – SJR 8200</i></p> | <ul style="list-style-type: none"> • Ben provided an update on SJR 8200 that would have created a ballot initiative to allow the LTSS Trust fund to be invested by the Washington State Investment Board in a full range of investments. It was referred to the Senate Ways and Means Committee where no action was taken. <ul style="list-style-type: none"> ○ Senator Conway thinks no action was taken because there was a lack of bipartisan consensus and for the resolution to pass it would need a strong bipartisan consensus. Senator King thinks since people just voted against it, it's difficult for the legislature to come back and immediately put forth another vote on a proposal. ○ Ben indicated that the Commission can decide whether they want to make another recommendation to the legislature about introducing a ballot initiative, and if so, it could be the same recommendation made in the 2021 report to the legislature or a modified recommendation, for example recommend introducing a resolution a couple of years down the road instead during the next session. |
| <p>New Business • <i>Commission Workgroups – Supplemental Private LTC Insurance Workgroup</i></p> | <ul style="list-style-type: none"> • Bill and Ben provided background on the Supplemental Private LTC Insurance Workgroup <ul style="list-style-type: none"> ○ SHB 1323 directs the Commission to work with insurers to develop long-term care insurance products to supplement the program's benefit. ○ The workgroup will look at benefit triggers, elimination periods, portability and other policy design elements. ○ The timeline and scope for this workgroup is summer of 2021 through the summer of 2022. ○ Recommendations will be shared with the Commission in the summer of 2022 for consideration in the January 2023 Commission report to the legislature. ○ A draft charter will be created for the workgroup with the proposed makeup of the workgroup and shared at the next Commission meeting. ○ This workgroup is an opportunity for constructive collaboration to help give people the opportunity not only to have the base WA Cares Fund benefit, but also make it more affordable to buy supplemental products from the private insurance market. ○ ACTION ITEM: Commission members interested in participating in the workgroup can let Bill or Ben know. |



LTSS Trust Commission

New Business

Commission Workgroups – Benefit Eligibility Workgroup

- Bill and Ben provided background on a recommendation to create a Benefit Eligibility Workgroup
 - This workgroup is not required by statute
 - This workgroup would look at ways we might improve the operation of the program and address constituent concerns that came up during session, including:
 - People working in Washington but living in another state will pay premiums but the current requirement is that you have to live in Washington to be eligible for the program. This impacts approximately 100,000 people.
 - People nearing retirement and paying premiums may not be able to vest. People who retire before 2025 will not be able to vest at all. Those who retire between 2025 and 2032 will only have access to benefits if they need care within three years of retirement.
 - Should employees on work visas be eligible to opt out?
 - People who move out of state after vesting will not be eligible for benefits.
 - It's important to channel back to the Commission the equity concerns from constituents and future clients of the program. When premiums start to be collected in January these same concerns are going to be even more apparent and it would behoove the Commission to get out ahead of this with some thoughtful consideration of policy options.
 - There are a variety of options that we will brainstorm. Some options would be actuarially neutral, some might increase program costs.
 - The work to explore policy options with pros and cons can either be done through a Commission workgroup or through Commission staff.
 - The timeline and scope for this workgroup is to meet two or three times during the summer/fall of 2021.
 - Recommendations will be shared with the Commission in the fall of 2021 for consideration in the January 2022 Commission report to the legislature.
- Senator King identified another scenario where people live in Washington but work out of state.
- Commission members want to make sure actuarial analysis is performed on the options explored to understand impacts on solvency. Ben confirmed we will work with the Office of the State Actuary.
- Dan Murphy indicated that the two policy areas tied to the challenge of having approved provider networks out of state and may be resolvable. He suggested that these two issues be made a priority of the workgroup.
- Senator Conway suggested looking at other benefit programs that have worked through these issues, like paid family medical leave, unemployment insurance and worker's comp, and figure out where there can be consistent policy. These are social programs that we pay into as a community to support unemployed workers and injured workers and we don't necessarily pay in and get a benefit back.
- Senator Conway moved that the Commission form a benefit eligibility workgroup. Madeleine Foutch seconded the motion. A voice vote was taken and the motion was passed.
- **ACTION ITEM:** Commission members interested in participating in the workgroup can let Bill or Ben know.



LTSS Trust Commission

| Topic | Minutes |
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| <p>New Business</p> <ul style="list-style-type: none"> • <i>2022 Commission Recommendations</i> | <ul style="list-style-type: none"> • The Commission was asked to work towards agreement on what topics they would like to make recommendations on in the report to the legislature and administering agencies at the end of the year. Ben presented potential options: <ul style="list-style-type: none"> ○ Make another recommendation on a joint resolution to propose an amendment to the State Constitution concerning the investment of LTSS Trust funds ○ Benefit eligibility recommendations from the workgroup that was just created ○ Actuarial report on the solvency and financial status of the Trust and actions necessary to maintain Trust solvency <ul style="list-style-type: none"> ▪ Matt Smith shared the recommendations OSA made in the Commission report last year <ul style="list-style-type: none"> • Clarify key program parameters • Clarify the investment policy through work with the WSIB • Perform an updated baseline analysis reflecting the prior bullets • Establish a Risk Management Framework consistent with the program’s financial goals • Establish a funding policy consistent with the above ▪ For this year’s report OSA doesn’t anticipate any new recommendations. ▪ Some of the recommendations from 2021 may extend beyond 2021 as it’s going to take time to clarify the key program parameters and the program’s long-term investment policy. ▪ OSA is recommending to hold off on updating the baseline actuarial analysis until later in 2022. This allows time to clarify more of these key program parameters and the investment policy. This will also provide an opportunity for the updated analysis to reflect early premium collections. • ACTION ITEM: Commission members can let Bill or Ben know if there are other things they want to make recommendations on in this year’s report. • Matt also provided an update on work the Office of the State Actuary has done since the last Commission meeting and what they are currently working on: <ul style="list-style-type: none"> ○ Provided analysis on HB 1323 and its amendments, and SJR 8200 ○ Published summarized analysis and commentary on the OSA website that can be found at: https://leg.wa.gov/osa/additionalservices/Documents/LTSS.Webpage.Key.Financial.Metrics.pdf ○ Met with the administrators and the actuaries who support the long-term care program for federal employees. ○ Working to support the Risk Management Framework workgroup that had its first meeting May 12th. The workgroup will provide an update at the next Commission meeting. ○ Working to support the Investment Strategy Subcommittee discussions which has its next meeting June 14th. ○ Contracting with an external consultant to build in-house tools to help us provide further actuarial support for the program in the future. ○ Having discussions with ESD to identify and define the data that’s needed to support future actuarial reporting and analysis and emerging experience reports. |



LTSS Trust Commission

| Topic | Minutes |
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| <p>New Business</p> <ul style="list-style-type: none"> • <i>HHS Coalition Update</i> | <ul style="list-style-type: none"> • Bill, Ben and Taylor Linke shared information about the Health and Human Services (HHS) Coalition <ul style="list-style-type: none"> ○ The DSHS and HCA IT work related to WA Cares Fund will be under the oversight of the HHS Coalition. ○ This is a coalition of state agencies that includes the Department of Children, Youth and Families (DCYF), the Department of Health (DOH), the Department of Social and Health Services (DSHS), the Health Benefit Exchange (HBE), and the Health Care Authority (HCA). The Employment Security Department (ESD) is not part of the coalition. ○ The coalition provides strategic direction around enterprise-based systems, provides cross functional support, IT support and project support for large enterprise based projects, and federal funding guidance. ○ The coalition’s goal is to create better service coordination and public stewardship, as well as improve the health and well-being of people, families in the communities in Washington. ○ There is interest on the part of the coalition for a few reasons <ul style="list-style-type: none"> ▪ At some point in time, not in the near-term, to have a statewide consumer based portal that is a one stop shop for everybody. We will need a portal for WA Cares Fund before then and then we’ll probably modify it into something larger down the road. ▪ The statewide Medicaid Management Information System (MMIS), also known as ProviderOne, will be used to pay WA Cares Fund providers. Because ProviderOne is such a critical system across the enterprise, the coalition wanted to make sure that they had involvement and eyes on the status and health of the project so they can lend support anywhere it may be necessary. ○ As part of the coalition oversight: <ul style="list-style-type: none"> ▪ In April the coalition approved the DSHS project initiation plan ▪ The DSHS investment plan will be approved this fall ▪ DSHS will provide monthly IT project status reports and quarterly updates to the coalition ○ The goal for WA Cares Fund is to leverage existing systems as much as possible to keep the administrative costs down, so we are leveraging: <ul style="list-style-type: none"> ▪ ProviderOne ▪ ESD’s Paid Family Medical Leave system for collecting premiums ▪ DSHS CARE assessment tool |



LTSS Trust Commission

| Topic | Minutes |
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| <p>New Business</p> <ul style="list-style-type: none"> • <i>WA Cares Fund IT Solutions Update</i> | <ul style="list-style-type: none"> • Ben shared information about the DSHS WA Cares Fund IT solutions <ul style="list-style-type: none"> ○ Permanent WA Cares Fund website ○ Secure portal where beneficiaries and log in, apply for their benefits, approve services they want to receive, check their benefit balance ○ Updating the assessment tool to determine functional eligibility ○ Implement a call center system to provide customer service ○ Implement an Interactive Voice Response (IVR) for people to call and access their information without necessarily needing to talk to a customer service representative. • Lisa Kissler shared information about the ESD WA Cares Fund IT solutions <ul style="list-style-type: none"> ○ Migrating their whole technology platform to cloud services and cloud hosting, this is on track to complete prior to June 2022. ○ Expanding the Paid Family Medical Leave (PMFL) technology for a unified employer experience that will <ul style="list-style-type: none"> ▪ Allow employees to request an exemption from program participation, this will start in October of this year. ▪ Allow employers to submit wage reports, remit premiums. ▪ Allow employers to get support in the same way they do for PFML ○ Improving the technology capabilities for <ul style="list-style-type: none"> ▪ Self-service ▪ Routing and handling customer contacts ▪ More robust financial reporting • Taylor Linke shared information about the HCA WA Cares Fund IT solutions <ul style="list-style-type: none"> ○ ProviderOne will be used to pay WA Cares Fund providers ○ In ProviderOne providers will be able to place holds on anticipated services they plan to provide to beneficiaries ○ ProviderOne will track the lifetime benefit balance for all eligible beneficiaries ○ Coordination of benefits activities across the different systems, like private insurance, Medicare, Medicaid or WA Cares Fund. • There will be linkages across the different agency systems |
| <p>Public Comment</p> | <ul style="list-style-type: none"> • Sandy Wood, David Preston, Melissa Peart, Steve Cain and Stephanie Garrison provided public comment. |



LTSS Trust Commission

| Topic | Minutes |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Set Agenda for next meeting, July 23rd | <ul style="list-style-type: none"> • Bill reviewed the proposed agenda: <ul style="list-style-type: none"> ○ Paying qualified family members ○ Update on employer outreach activities ○ Charter for Supplemental Private LTC Insurance workgroup ○ Charter for Benefit Eligibility workgroup ○ Update from Risk Management Framework workgroup • There were no suggestions for additional agenda items. • ACTION ITEM: Commission members can let Bill or Ben know if there are other agenda items they'd like for the July Commission meeting. |
| Wrap-up • <i>Action items review</i> | <ul style="list-style-type: none"> • Action items are captured in the table below. • Meeting adjourned at 2:47. |

Action Items

| ID | Meeting Date | Action Item | Owner | Due Date | Comments/Updates | Status | Completion Date |
|----|--------------|-------------------------------------------------------------|--------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------------|
| 30 | 5/25/21 | Participate in Supplemental Private LTC Insurance workgroup | Commission Members | 6/30/21 | 2021-05-25: Commission members interested in participating in the workgroup can let Bill or Ben know. | New | |
| 31 | 5/25/21 | Participate in Benefit Eligibility Workgroup | Commission Members | 6/30/21 | 2021-05-25: Commission members interested in participating in the workgroup can let Bill or Ben know. | New | |
| 32 | 5/25/21 | Items to include in the Commission Recommendations Report | Commission Members | 6/30/21 | 2021-05-25: Commission members can let Bill or Ben know if there are other things they want to make recommendations on in this year's report. | New | |
| 33 | 5/25/21 | Agenda items for July 23 rd Commission Meeting | Commission Members | 6/30/21 | 2021-05-25: Commission members can let Bill or Ben know if there are other agenda items they'd like for the July Commission meeting. | New | |

