

LTSS Trust Commission

Benefit Eligibility Workgroup Charter

Purpose: The LTSS Trust Commission Benefit Eligibility Workgroup was established by the Commission in May 2021 to explore benefit eligibility options that would address the policy challenges described below. The workgroup will present its recommendations to the LTSS Trust Commission during the September 2021 meeting. Changes to address these concerns would require statute change.

A. Near Retirees

Policy challenge: 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.

B. Border-state residents commuting to work in WA

Policy challenge: 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.

C. People Who Leave the State

Policy challenge: A significant share of the workforce 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.,

D. Non Immigrant Visa Holders

Policy challenge: Foreign 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.

In its work, the workgroup will adhere to the LTSS Trust Foundational Principles that were approved by the LTSS Trust Commission in September 2020:

- Respect the dignity and autonomy of beneficiaries in determining how and from whom they receive care
- Be customer focused
- Provide a seamless, quality user experience
- Be accessible to all Washingtonians both online and through a strong community presence
- Promote development of a long-term services and supports workforce and provider network to meet increased demand with high-quality, culturally competent services
- Ensure beneficiaries have a broad range of services and supports from which to choose
- Ensure outreach and policies are consistent with values of diversity, equity and inclusion
- Focus on solutions that are not rooted in tradition but are tailored to delivering new program benefits and meeting needs of current and future participants
- Respond to changing conditions, needs, and opportunities
- Be strong stewards of worker contributions by maintaining the financial stability and sustainability of the Trust
- Protect beneficiaries and the Trust Fund from program fraud
- Raise awareness of the benefit among all Washingtonians

- Provide accurate data to decision makers.

Timeline and scope:

This workgroup will meet 2 – 3 times between July and September 2021 and present options at the September LTSS Trust Commission meeting. The Commission will decide which options to include in their January 2022 Recommendations Report to the Legislature. Recommendations will include any proposed changes to RCW 50B.04. Changes to the program wouldn't be effective until sometime after the 2022 legislative session, even though premium payments begin in January 2022.

Out of scope:

Policy issues not listed in Sections A through D above are out of scope.

Membership:

Volunteers from the Commission