Administrative Policy No. 01.01

Subject: Communication with the State Legislature

Information Contact: Office of Policy and External Relations
MS: 45115, Phone: (360) 902-7813
TTY: 1-800-833-6388

Authorizing Source: Office of the Secretary

Effective Date: December 1, 1988

Revised: February 26, 2013

Approved By: Original signed by Pat Lashway
Senior Director, Policy & External Relations

Purpose

This policy establishes Department of Social and Health Services (DSHS) policy and procedure for state legislative activities and communication in the following areas:

A. Verbal and written communication with state legislators and members of their staff.
B. Attendance at legislative hearings.
C. Legislative testimony.
D. Modifying a Department position.
E. Legislative meetings and contact.
F. Reports to the Legislature.
G. Distributing information to the Legislature.
H. Department request legislation.

Scope

This policy applies Department-wide without exceptions.

Policy

Before communicating a Department policy position or recommendation on legislation, regulations, or budget issues verbally or through written communication with legislative members or their staff, Department staff must first consult with Office of Policy and External Relations, appropriate Assistant Secretary, Chief Financial Officer, or Chief Information Officer.
Procedures

A. Communication with state legislators and members of their staff

1. Department staff must obtain approval as described in Section A (5) below before communicating a Department policy position or recommendation that advocates a position on state legislation, regulations, or budget issues. Note: Communication includes both written and verbal exchanges.

2. Department staff must coordinate the Department’s expressed positions with the Office of Policy and External Relations. Note: This includes requests from associations and organizations asking for the Department’s position on legislation, regulations, or budget issues.

3. Department staff are not required to obtain review and approval when communicating with legislators or their staff about a Department policy position that is routine or non-controversial in nature or expresses a position already approved by the Department. The Office of Policy and External Relations must be copied on all communication with legislators and legislative staff.

4. Department staff must notify the Financial Services Administration when verbal or written communication to legislative members or their staff includes budget implications related to policy proposals. The Financial Services Administration must be involved in the response process. A budget analyst will work with program staff to complete the final response.

5. Department staff must obtain the signatures of the Secretary, Assistant Secretary, Chief Financial Officer, Chief Information Officer, or the appropriate Division Director on any written communication sent to legislative members or their staff, regarding Department positions on legislation, regulations, or budget.
   a. Department staff must send copies of this written communication to the Office of Policy and External Relations.
   b. The Office of Policy and External Relations must coordinate with the appropriate Assistant Secretary, Chief Financial Officer, Chief Information Officer, Office of Financial Management (OFM), or Governor’s Office for their review and approval.
   c. Upon approval of the correspondence, the Office of Policy and External Relations will notify the appropriate Department staff and assist in the dissemination of the written communication.

B. Attendance at legislative hearings

1. The Office of Policy and External Relations monitors attendance at all legislative hearings. Attendance at legislative hearings is limited only to those Department staff that are assigned by the Executive Leadership Team to testify or be available for questions. Staff assigned to monitor a hearing should do so via the TVW website.

2. Department staff designated to monitor hearings must fill out the Legislative Monitoring or Hearing Report found at http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx and send it to the Office of Policy and External Relations at billanalysis@dshs.wa.gov within
C. Legislative testimony

1. The Office of Policy and External Relations coordinates Department testimony to the Legislature. Executive Leadership Team (ELT) members must provide the testimony. **Note:** in the event an ELT member has an unavoidable scheduling conflict, Policy and External Relations must be contacted to discuss a possible substitute.
2. Testimony must reflect the Department’s position on the legislative proposal.
3. An Executive Leadership Team member or their designee authorized to provide legislative testimony may request that specific employees attend the hearing, work session, task force or sub-cabinet meeting to assist with technical questions relating to the testimony.
4. The Financial Services Administration must review testimony that includes budget implications related to policy proposals.
5. After obtaining approval from the appropriate Executive Leadership Team member, OFM, and the Governor’s Office, the appropriate Administration or Division Legislative Coordinator must submit to the Office of Policy and External Relations 48 hours in advance:
   a. Any PowerPoint Presentation. (All Legislative presentations must be created using the DSHS Legislative PowerPoint Presentation Template located on the Government Relations intranet site at [http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx](http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx).
   b. Written testimony or an outline of the testimony including talking points; and
   c. Any other information needed by the legislative committee.
6. The Office of Policy and External Relations will submit the approved material to the appropriate legislative committee 24 hours in advance of the hearing, work session, task force or sub-cabinet meeting.
7. For Legislative Task Force meetings, Sub-cabinet meetings.

D. Modifying a Department position

Department positions on legislative issues must not be altered, nor compromises accepted, unless the Office of Policy and External Relations, Secretary, Governor’s Office, and OFM approve the modification.

E. Legislative meetings and contact

1. Department staff must inform the Office of Policy and External Relations before initiating a meeting, task force, or committee that includes legislators or legislative staff.
2. Department staff must respond to telephone inquiries from legislative members and their staff as fully and openly as possible while protecting confidential information from unauthorized disclosure. Confidential information about clients cannot be given to Legislators or their staff unless they have received authorization from the client by using DSHS Form 17-063 found at [http://forms.dshs.wa.lcl/](http://forms.dshs.wa.lcl/) or other legally valid form. If a
legislator makes a request for public records under the Public Records Act, Department staff receiving the request shall forward it to the appropriate Public Disclosure Coordinator or to the DSHS Public Records/Privacy Officer.

3. Regional, area, and local offices may establish contact with their local legislators. They may disseminate material about their programs and projects, but cannot take a position on a bill or policy without conferring with their Division Director.

4. Program and field staff may request assistance from the Office of Policy and External Relations in developing contacts with local legislators.

5. Department staff must refer all inquiries regarding interpretation of policy, controversial or pending policy, or budget issues to appropriate Assistant Secretary, Chief Financial Officer, Chief Information Officer, Division Director, or Office of Policy and External Relations as appropriate, prior to response.

6. Department staff must coordinate with the Office of Policy and External Relations on legislative matters involving individual constituents that are non-routine in nature.

7. Department staff must send information on all meetings, discussions, and/or inquiries with local legislators to the Office of Policy and External Relations. See http://one.dshs.wa.lcl/per/GovernmentRelations/Forms/Forms/AllItems.aspx for forms.

F. Reports to the Legislature

1. Department staff must send all reports required by the Legislature to the Office of Policy and External Relations for review, approval, and distribution according to Department guidelines. See http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx for guidelines.

2. The Office of Policy and External Relations notifies administrations when the report approval process is complete.

3. The Office of Policy and External Relations transmits the legislative reports electronically to the:

   a. Required legislative committees;
   b. Secretary of the Senate;
   c. Chief Clerk of the House of Representatives;
   d. Washington State Library.

G. Distributing information to the Legislature

Department staff must consult with the Office of Policy and External Relations before disseminating annual reports or other information to the Legislature that has not been explicitly requested by a legislator or their staff.

H. Department request legislation

1. The Office of Policy and External Relations coordinates the review and approval of all request legislation proposals with the Executive Leadership Team, the Governor’s Office, and OFM.

2. The Office of Policy and External Relations notifies administrations of the status of their
proposal after the request legislation review process is completed.