

Administrative Policy No. 01.04

Subject:	Communication with Congress, Federal Agencies, and Other State Governors
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Approved By:	<u>Original signed by Lori Melchiori</u> Senior Director, Office of Policy and Rules

Purpose

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

- Verbal and written communication with members of congress, their staff, federal agencies, and other state governors.
- Direct contact with members of congress and their staff.
- Congressional testimony, hearings, and meetings.
- Modifying a department position.

Scope

This policy applies department-wide without exceptions.

Policy

Before communicating a department policy position or recommendation on federal legislation, regulations, or budget matters verbally or through written communication with

members of Congress, their staff, federal agencies, and other state governors, department staff must first consult with their administration's legislative coordinator, government and community relations office (GCRO), assistant secretary, and chief financial officer or chief information officer when applicable. Your administration's legislative coordinator will check with GCRO to see if coordination with the Washington DC office and Governor's Office or Office of Financial Management (OFM) staff is required.

Procedures

A. Communication with members of congress, their staff, federal agencies, and other state governors

1. Department staff must obtain prior approval on all verbal and written communication that expresses a policy position or recommendation or that advocates a position on federal legislation, regulations, or budget. Department staff must coordinate the department's expressed positions with their administration's legislative coordinator and GCRO. **Note:** This includes requests from associations and organizations seeking the department's support or opposition on federal legislation.
2. Review and approval is not required when communicating a department policy position or recommendation on federal legislation, regulations, or budget matters through verbal and written communication with members of congress, their staff, federal agencies, and other state governors that is routine, or non-controversial in nature or expresses a position already approved by the department, such as a position related to grants.
3. Department staff may contact GCRO to determine the required signature for written communication related to federal legislation, regulations, or budget issues, if unknown by staff.
4. Department staff must notify the facilities, finance, and analytics administration when communication includes budget implications related to policy proposals. The chief financial officer must be involved in the response process. A budget analyst will work with the program staff to complete the final response.
5. Department staff must obtain the appropriate signature (the governor, secretary, assistant secretary, chief financial officer, or chief information officer) on all written communication for members of congress, their staff, federal agencies, or other state governors related to federal legislation, regulations, and budget.
 - a. Department staff must send the original letter, a brief explanation of the

reason for the written communication, and the name and telephone number of the department staff person who has knowledge of the issue to the GCRO. Allow two weeks lead time for adequate review.

- b. If the letter is to be signed by the governor, in addition to Section A(5)(a), department staff must prepare a cover memo addressed to the governor from the secretary with recommendation for approval, and send the letter and cover memorandum to the GCRO. Allow at least three weeks lead time for adequate review.
- c. The GCRO will coordinate with the appropriate assistant secretary, chief financial officer, chief information officer, office of financial management (OFM), and governor's office for their review and approval. Upon approval of the written communication, the GCRO will notify the appropriate department staff and assist in the dissemination of the written communication.

B. Direct contact with members of congress and their staff

1. The executive leadership team, division directors, and the GCRO are responsible for initiating contact with members of congress and their staff.
2. Department staff may respond to questions from members of congress and their staff. Department staff must not initiate contact, except that regional and local offices may maintain contact with their local members of congress for the purpose of disseminating material about their programs and projects.
3. Program and field staff may request assistance from their administration's legislative coordinator, who will coordinate with GCRO in communicating with members of congress. Department staff must send reports on all meetings and discussions with members of congress or their staff to their administration's legislative coordinator, who will send to the GCRO. Use the legislative or congressional inquiry form found at <http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx> and sending to the GCRO at billanalysis@dshs.wa.gov within 48 hours of the contact.
4. Department staff must refer all inquiries regarding interpretation of federal policy, controversial or pending policy, or budget issues to the administration's legislative coordinator, assistant secretary, division director, the GCRO, or the chief financial officer, as appropriate.
5. Department staff must respond to telephone inquiries from members of congress and their staff as fully and openly as possible while protecting confidential information from unauthorized disclosure. Confidential information about clients cannot be given to members of congress or their staff unless they have received

authorization from the client by using DSHS Form 17-063 found at <http://forms.dshs.wa.lcl/> or other legally valid form. If a member of congress or their staff makes a request for public records under the Public Records Act, department staff receiving the request must forward it to the appropriate public disclosure coordinator or to the DSHS information governance unit.

6. Department staff must refer inquiries regarding pending policy and budget issues to the administration's legislative coordinator, assistant secretary, chief financial officer, chief information officer, division director or to GCRO, as appropriate.

C. Congressional testimony, hearings, and meetings

1. The GCRO coordinates the department's congressional testimony. DSHS executive leadership team (ELT) members must provide the congressional testimony. **Note:** in the event an ELT member has an unavoidable scheduling conflict, the GCRO must be contacted to discuss a possible substitute.
2. Testimony must reflect the department's position on the congressional proposal.
3. An executive leadership team member or their designee authorized to provide congressional testimony may request that specific employees attend the hearing to assist with technical questions relating to the testimony.
4. The chief financial officer must review congressional testimony that includes budget implications related to policy proposals.
5. When the executive leadership team determines congressional testimony is a priority issue needing review, appropriate department staff must meet at least 48 hours in advance to:
 - a. Develop an outline of the congressional testimony, and
 - b. Determine any information needed by the congressional committee.
6. The administration's legislative coordinator must submit written congressional testimony two weeks in advance to the GCRO to coordinate approval of the testimony with the executive leadership team, the governor's office, and OFM.
7. Department staff must notify the GCRO through their administration's legislative coordinator or assistant secretary of any requests to attend congressional hearings.
8. Department staff must notify the GCRO through their administration's legislative coordinator of any meetings with congressional members or their

staff.

D. Modifying a department position

Department positions on federal legislation must not be altered, nor compromises accepted, unless, the GCRO, the secretary, the governor's office, and OFM approves the modification.

DSHS Official