

INITIATIVE 956

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 956 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to quality of long-term care services to the
2 elderly and people with disabilities; amending RCW 74.39A.050,
3 74.39A.270, 74.39A.300, 74.39A.310, and 41.56.465; adding a new section
4 to chapter 74.39A RCW; creating new sections; and repealing RCW
5 74.39A.190.

6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.39A RCW
8 to read as follows:

9 (1) Effective January 1, 2009, the department shall require that
10 all persons employed as providers of long-term care services to the
11 elderly and to persons with disabilities, including adult family home
12 providers, adult residential care providers, long-term care providers,
13 boarding home administrators, boarding home caregivers, and other home
14 and community service care providers identified in this chapter, meet
15 the minimum training requirements in this section.

16 (2) All entry-level persons employed as providers of long-term care
17 services to the elderly and to persons with disabilities shall be
18 required to obtain one hundred fifty hours of entry-level training

1 including eighty-five hours of precertification training and sixty-five
2 hours of advanced and specialty training, as follows:

3 (a) Two hours of orientation training in the role of the caregiver
4 and the terms of employment to be completed within two weeks of
5 employment or within fifty hours of work;

6 (b) Three hours of safety training including basic safety
7 precautions, emergency procedures, and infection control to be
8 completed within two weeks of employment or within fifty hours of work;

9 (c) Eighty hours of long-term care core competencies training
10 including but not limited to: Consumer rights and confidentiality;
11 communication and problem-solving skills; personal care skills; health-
12 related tasks training; in-home and nutritional support; body systems;
13 disease and disability training; and self-care training. This training
14 must be completed within six months of employment or within six hundred
15 hours of work;

16 (d) Sixty-five hours of advanced and specialty training including
17 but not limited to topics such as: Client rights; personal care;
18 mental illness; dementia; developmental disabilities; depression;
19 medication assistance; advanced communication skills; positive client
20 behavior support; developing or improving client centered activities;
21 dealing with wandering or aggressive client behaviors; medical
22 conditions; nurse delegation core training; peer mentor training; and
23 advocacy for quality care training. This training must be completed
24 within one year of employment or within two thousand hours of work.

25 The department may develop a review process waiving some or all
26 mandatory training requirements for persons who already possess health
27 care degrees or other previous experience and training.

28 (3) Effective January 1, 2009, the department shall require that
29 all providers of long-term care services to the elderly and disabled
30 obtain twelve hours continuing education training in advanced and
31 specialty training topics each year beginning on the anniversary date
32 of completion of the one hundred fifty hours of training or beginning
33 on January 1, 2010, for existing workers.

34 (4) Effective January 1, 2010, the department shall require that
35 all providers of long-term care services to the elderly and persons
36 with disabilities shall be offered or made available on-the-job
37 training or peer mentorship of at least one hour a week for the first
38 one hundred twenty days of work from a long-term care worker who is
39 mentoring no more than ten other workers at any given time.

1 (5) The department shall adopt rules by January 1, 2009, that
2 establish a certified personal care aide designation and testing
3 process. After completing at least eighty-five hours of required
4 entry-level training, workers subject to this section are eligible to
5 take the test established by the department to receive a personal care
6 aide certification. The department shall administer the personal care
7 aide certification exam and shall certify personal care aides who pass
8 the test. To maintain their certification, personal care aides must
9 complete all training and continuing education requirements within the
10 time limits specified in this section.

11 (6) Only training curriculum approved by the department may be used
12 to fulfill the training requirements under this section. The
13 department shall approve any training curriculum that allows for
14 comprehensive instruction by qualified instructors on the competencies
15 and training topics in this section.

16 (7) The department shall deny payment to any provider of long-term
17 care services to the elderly and to persons with disabilities who does
18 not or whose employees do not complete the training requirements within
19 the time limit specified in this section.

20 (8) For all providers of long-term care services to the elderly and
21 to persons with disabilities represented by an exclusive bargaining
22 representative under RCW 74.39A.270 and 74.39A.300, all training under
23 this section shall be provided by joint labor-management partnership or
24 trust. The partnership or trust shall provide reports as required by
25 the department verifying that all providers have complied with all
26 training requirements. Employer contributions to the entity are a
27 mandatory subject of the collective bargaining agreement and shall be
28 fixed at a level sufficient to meet the cost of the training
29 requirements and to contribute towards the cost of other services such
30 as adult education, caregiver support, and career development services
31 necessary to recruit and retain a high quality direct care workforce.
32 The partnership or trust must be designated by the certified exclusive
33 bargaining representative representing at least twenty thousand
34 employees.

35 (9) The requirements of this section do not apply to nursing homes
36 licensed under chapter 18.51 RCW.

37 (10) The department shall adopt rules to implement the provisions
38 of this section.

1 **Sec. 2.** RCW 74.39A.050 and 2004 c 140 s 6 are each amended to read
2 as follows:

3 The department's system of quality improvement for long-term care
4 services shall use the following principles, consistent with applicable
5 federal laws and regulations:

6 (1) The system shall be client-centered and promote privacy,
7 independence, dignity, choice, and a home or home-like environment for
8 consumers consistent with chapter 392, Laws of 1997.

9 (2) The goal of the system is continuous quality improvement with
10 the focus on consumer satisfaction and outcomes for consumers. This
11 includes that when conducting licensing or contract inspections, the
12 department shall interview an appropriate percentage of residents,
13 family members, resident case managers, and advocates in addition to
14 interviewing providers and staff.

15 (3) Providers should be supported in their efforts to improve
16 quality and address identified problems initially through training,
17 consultation, technical assistance, and case management.

18 (4) The emphasis should be on problem prevention both in monitoring
19 and in screening potential providers of service.

20 (5) Monitoring should be outcome based and responsive to consumer
21 complaints and based on a clear set of health, quality of care, and
22 safety standards that are easily understandable and have been made
23 available to providers, residents, and other interested parties.

24 (6) Prompt and specific enforcement remedies shall also be
25 implemented without delay, pursuant to RCW 74.39A.080, RCW 70.128.160,
26 chapter 18.51 RCW, or chapter 74.42 RCW, for providers found to have
27 delivered care or failed to deliver care resulting in problems that are
28 serious, recurring, or uncorrected, or that create a hazard that is
29 causing or likely to cause death or serious harm to one or more
30 residents. These enforcement remedies may also include, when
31 appropriate, reasonable conditions on a contract or license. In the
32 selection of remedies, the safety, health, and well-being of residents
33 shall be of paramount importance.

34 (7) To the extent funding is available, all long-term care staff
35 directly responsible for the care, supervision, or treatment of
36 vulnerable persons should be screened through background checks in a
37 uniform and timely manner to ensure that they do not have a criminal
38 history that would disqualify them from working with vulnerable
39 persons. Whenever a state conviction record check is required by state

1 law, persons may be employed or engaged as volunteers or independent
2 contractors on a conditional basis according to law and rules adopted
3 by the department.

4 (8) No provider or staff, or prospective provider or staff, with a
5 stipulated finding of fact, conclusion of law, an agreed order, or
6 finding of fact, conclusion of law, or final order issued by a
7 disciplining authority, a court of law, or entered into a state
8 registry finding him or her guilty of abuse, neglect, exploitation, or
9 abandonment of a minor or a vulnerable adult as defined in chapter
10 74.34 RCW shall be employed in the care of and have unsupervised access
11 to vulnerable adults.

12 (9) The department shall establish, by rule, a state registry which
13 contains identifying information about personal care aides identified
14 under this chapter who have substantiated findings of abuse, neglect,
15 financial exploitation, or abandonment of a vulnerable adult as defined
16 in RCW 74.34.020. The rule must include disclosure, disposition of
17 findings, notification, findings of fact, appeal rights, and fair
18 hearing requirements. The department shall disclose, upon request,
19 substantiated findings of abuse, neglect, financial exploitation, or
20 abandonment to any person so requesting this information.

21 ~~(10) ((The department shall by rule develop training requirements~~
22 ~~for individual providers and home care agency providers. Effective~~
23 ~~March 1, 2002, individual providers and home care agency providers must~~
24 ~~satisfactorily complete department-approved orientation, basic~~
25 ~~training, and continuing education within the time period specified by~~
26 ~~the department in rule. The department shall adopt rules by March 1,~~
27 ~~2002, for the implementation of this section based on the~~
28 ~~recommendations of the community long-term care training and education~~
29 ~~steering committee established in RCW 74.39A.190. The department shall~~
30 ~~deny payment to an individual provider or a home care provider who does~~
31 ~~not complete the training requirements within the time limit specified~~
32 ~~by the department by rule.~~

33 ~~(11) In an effort to improve access to training and education and~~
34 ~~reduce costs, especially for rural communities, the coordinated system~~
35 ~~of long-term care training and education must include the use of~~
36 ~~innovative types of learning strategies such as internet resources,~~
37 ~~videotapes, and distance learning using satellite technology~~
38 ~~coordinated through community colleges or other entities, as defined by~~
39 ~~the department.~~

1 ~~—(12) The department shall create an approval system by March 1,~~
2 ~~2002, for those seeking to conduct department-approved training. In~~
3 ~~the rule-making process, the department shall adopt rules based on the~~
4 ~~recommendations of the community long-term care training and education~~
5 ~~steering committee established in RCW 74.39A.190.~~

6 ~~—(13))~~ The department shall establish, by rule, ((training,))
7 background checks((7)) and other quality assurance requirements for
8 personal aides who provide in-home services funded by medicaid personal
9 care as described in RCW 74.09.520, community options program entry
10 system waiver services as described in RCW 74.39A.030, or chore
11 services as described in RCW 74.39A.110 that are equivalent to
12 requirements for individual providers.

13 ((+14)) (11) Under existing funds the department shall establish
14 internally a quality improvement standards committee to monitor the
15 development of standards and to suggest modifications.

16 ((+15) ~~Within existing funds~~) (12) Consistent with the provisions
17 of section 1 of this act, the department shall design, develop, and
18 implement a long-term care training program that is flexible, relevant,
19 and qualifies towards the requirements for a nursing assistant
20 certificate as established under chapter 18.88A RCW. This subsection
21 does not require completion of the nursing assistant certificate
22 training program by providers or their staff. The long-term care
23 teaching curriculum must consist of a fundamental module, or modules,
24 and a range of other available relevant training modules that provide
25 the caregiver with appropriate options that assist in meeting the
26 resident's care needs. Some of the training modules may include, but
27 are not limited to, specific training on the special care needs of
28 persons with developmental disabilities, dementia, mental illness, and
29 the care needs of the elderly. No less than one training module must
30 be dedicated to workplace violence prevention. The nursing care
31 quality assurance commission shall work together with the department to
32 develop the curriculum modules. The nursing care quality assurance
33 commission shall direct the nursing assistant training programs to
34 accept some or all of the skills and competencies from the curriculum
35 modules towards meeting the requirements for a nursing assistant
36 certificate as defined in chapter 18.88A RCW. A process may be
37 developed to test persons completing modules from a caregiver's class
38 to verify that they have the transferable skills and competencies for
39 entry into a nursing assistant training program. The department may

1 review whether facilities can develop their own related long-term care
2 training programs. The department may develop a review process for
3 determining what previous experience and training may be used to waive
4 some or all of the mandatory training. (~~The department of social and
5 health services and the nursing care quality assurance commission shall
6 work together to develop an implementation plan by December 12, 1998.~~)

7 **Sec. 3.** RCW 74.39A.270 and 2006 c 106 s 1 are each amended to read
8 as follows:

9 (1) Solely for the purposes of collective bargaining and as
10 expressly limited under subsections (2) and (3) of this section, the
11 governor is the public employer, as defined in chapter 41.56 RCW, of
12 individual providers, who, solely for the purposes of collective
13 bargaining, are public employees as defined in chapter 41.56 RCW. To
14 accommodate the role of the state as payor for the community-based
15 services provided under this chapter and to ensure coordination with
16 state employee collective bargaining under chapter 41.80 RCW and the
17 coordination necessary to implement RCW 74.39A.300, the public employer
18 shall be represented for bargaining purposes by the governor or the
19 governor's designee appointed under chapter 41.80 RCW. The governor or
20 governor's designee shall periodically consult with the authority
21 during the collective bargaining process to allow the authority to
22 communicate issues relating to the long-term in-home care services
23 received by consumers. The governor or the governor's designee shall
24 consult the authority on all issues for which the exclusive bargaining
25 representative requests to engage in collective bargaining under
26 subsections (6) and (7) of this section. The authority shall work with
27 the developmental disabilities council, the governor's committee on
28 disability issues and employment, the state council on aging, and other
29 consumer advocacy organizations to obtain informed input from consumers
30 on their interests, including impacts on consumer choice, for all
31 issues proposed for collective bargaining under subsection (6) of this
32 section.

33 (2) Chapter 41.56 RCW governs the collective bargaining
34 relationship between the governor and individual providers, except as
35 otherwise expressly provided in this chapter and except as follows:

36 (a) The only unit appropriate for the purpose of collective
37 bargaining under RCW 41.56.060 is a statewide unit of all individual
38 providers;

1 (b) The showing of interest required to request an election under
2 RCW 41.56.060 is ten percent of the unit, and any intervener seeking to
3 appear on the ballot must make the same showing of interest;

4 (c) The mediation and interest arbitration provisions of RCW
5 41.56.430 through 41.56.470 and 41.56.480 apply, except that:

6 (i) With respect to commencement of negotiations between the
7 governor and the bargaining representative of individual providers,
8 negotiations shall be commenced by May 1st of any year prior to the
9 year in which an existing collective bargaining agreement expires;

10 (ii) With respect to factors to be taken into consideration by an
11 interest arbitration panel, the panel shall consider the financial
12 ability of the state to pay for the compensation and fringe benefit
13 provisions of a collective bargaining agreement; and

14 (iii) The decision of the arbitration panel is not binding on the
15 legislature and, if the legislature does not approve the request for
16 funds necessary to implement the compensation and fringe benefit
17 provisions of the arbitrated collective bargaining agreement, is not
18 binding on the authority or the state;

19 (d) Individual providers do not have the right to strike; and

20 (e) Individual providers who are related to, or family members of,
21 consumers or prospective consumers are not, for that reason, exempt
22 from this chapter or chapter 41.56 RCW.

23 (3) Individual providers who are public employees solely for the
24 purposes of collective bargaining under subsection (1) of this section
25 are not, for that reason, employees of the state, its political
26 subdivisions, or an area agency on aging for any purpose. Chapter
27 41.56 RCW applies only to the governance of the collective bargaining
28 relationship between the employer and individual providers as provided
29 in subsections (1) and (2) of this section.

30 (4) Consumers and prospective consumers retain the right to select,
31 hire, supervise the work of, and terminate any individual provider
32 providing services to them. Consumers may elect to receive long-term
33 in-home care services from individual providers who are not referred to
34 them by the authority.

35 (5) In implementing and administering this chapter, neither the
36 authority nor any of its contractors may reduce or increase the hours
37 of service for any consumer below or above the amount determined to be
38 necessary under any assessment prepared by the department or an area
39 agency on aging.

1 (6) Except as expressly limited in this section and RCW 74.39A.300,
2 the wages, hours, and working conditions of individual providers are
3 determined solely through collective bargaining as provided in this
4 chapter. No agency or department of the state may establish policies
5 or rules governing the wages or hours of individual providers.
6 However, this subsection does not modify:

7 (a) The department's authority to establish a plan of care for each
8 consumer or its core responsibility to manage long-term in-home care
9 services under this chapter, including determination of the level of
10 care that each consumer is eligible to receive. However, at the
11 request of the exclusive bargaining representative, the governor or the
12 governor's designee appointed under chapter 41.80 RCW shall engage in
13 collective bargaining, as defined in RCW 41.56.030(4), with the
14 exclusive bargaining representative over how the department's core
15 responsibility affects hours of work for individual providers. This
16 subsection shall not be interpreted to require collective bargaining
17 over an individual consumer's plan of care;

18 (b) The department's authority to terminate its contracts with
19 individual providers who are not adequately meeting the needs of a
20 particular consumer, or to deny a contract under RCW 74.39A.095(8);

21 (c) The consumer's right to assign hours to one or more individual
22 providers selected by the consumer within the maximum hours determined
23 by his or her plan of care;

24 (d) The consumer's right to select, hire, terminate, supervise the
25 work of, and determine the conditions of employment for each individual
26 provider providing services to the consumer under this chapter;

27 (e) The department's obligation to comply with the federal medicaid
28 statute and regulations and the terms of any community-based waiver
29 granted by the federal department of health and human services and to
30 ensure federal financial participation in the provision of the
31 services; and

32 (f) The legislature's right to make programmatic modifications to
33 the delivery of state services under this title, including standards of
34 eligibility of consumers and individual providers participating in the
35 programs under this title, and the nature of services provided. The
36 governor shall not enter into, extend, or renew any agreement under
37 this chapter that does not expressly reserve the legislative rights
38 described in this subsection (6)(f).

1 (7) At the request of the exclusive bargaining representative, the
2 governor or the governor's designee appointed under chapter 41.80 RCW
3 shall engage in collective bargaining, as defined in RCW 41.56.030(4),
4 with the exclusive bargaining representative over employer
5 contributions for the cost of meeting the training requirements in
6 section 1 of this act and providing such other programs and services
7 necessary to establish and promote the education, training, career
8 development, career ladders, certification, and licensing of a stable,
9 professionally trained long-term care workforce.

10 (8)(a) The state, the department, the authority, the area agencies
11 on aging, or their contractors under this chapter may not be held
12 vicariously or jointly liable for the action or inaction of any
13 individual provider or prospective individual provider, whether or not
14 that individual provider or prospective individual provider was
15 included on the authority's referral registry or referred to a consumer
16 or prospective consumer. The existence of a collective bargaining
17 agreement, the placement of an individual provider on the referral
18 registry, or the development or approval of a plan of care for a
19 consumer who chooses to use the services of an individual provider and
20 the provision of case management services to that consumer, by the
21 department or an area agency on aging, does not constitute a special
22 relationship with the consumer.

23 (b) The members of the board are immune from any liability
24 resulting from implementation of this chapter.

25 ~~((8))~~ (9) Nothing in this section affects the state's
26 responsibility with respect to unemployment insurance for individual
27 providers. However, individual providers are not to be considered, as
28 a result of the state assuming this responsibility, employees of the
29 state.

30 **Sec. 4.** RCW 74.39A.300 and 2004 c 3 s 2 are each amended to read
31 as follows:

32 (1) Upon meeting the requirements of subsection (2) of this
33 section, the governor must submit, as a part of the proposed biennial
34 or supplemental operating budget submitted to the legislature under RCW
35 43.88.030, a request for funds necessary to administer chapter 3, Laws
36 of 2002 and to implement the compensation and fringe benefits
37 provisions of a collective bargaining agreement entered into under RCW
38 74.39A.270 or for legislation necessary to implement such agreement.

1 (2) Except as provided in subsection (3) of this section, a request
2 for funds necessary to implement the compensation and fringe benefits
3 provisions of a collective bargaining agreement entered into under RCW
4 74.39A.270 shall not be submitted by the governor to the legislature
5 unless such request:

6 (a) Has been submitted to the director of financial management by
7 October 1st prior to the legislative session at which the request is to
8 be considered; and

9 (b) Has been certified by the director of financial management as
10 being feasible financially for the state or reflects the binding
11 decision of an arbitration panel reached under RCW 74.39A.270(2)(c).

12 (3) The governor must submit to the first available legislative
13 session a request for funds necessary to implement the training
14 contributions provisions of a collective bargaining agreement entered
15 into under RCW 74.39A.270 as a part of the proposed biennial or
16 supplemental operating budget submitted to the legislature under RCW
17 43.88.030.

18 (4) The legislature must approve or reject the submission of the
19 request for funds as a whole. If the legislature rejects or fails to
20 act on the submission, any such agreement will be reopened solely for
21 the purpose of renegotiating the funds necessary to implement the
22 agreement.

23 ~~((+4))~~ (5) When any increase in individual provider wages or
24 benefits is negotiated or agreed to, no increase in wages or benefits
25 negotiated or agreed to under this chapter will take effect unless and
26 until, before its implementation, the department has determined that
27 the increase is consistent with federal law and federal financial
28 participation in the provision of services under Title XIX of the
29 federal social security act.

30 ~~((+5))~~ (6) The governor shall periodically consult with the joint
31 committee on employment relations established by RCW 41.80.010
32 regarding appropriations necessary to implement the compensation and
33 fringe benefits provisions of any collective bargaining agreement and,
34 upon completion of negotiations, advise the committee on the elements
35 of the agreement and on any legislation necessary to implement such
36 agreement.

37 ~~((+6))~~ (7) After the expiration date of any collective bargaining
38 agreement entered into under RCW 74.39A.270, all of the terms and
39 conditions specified in any such agreement remain in effect until the

1 effective date of a subsequent agreement, not to exceed one year from
2 the expiration date stated in the agreement, except as provided in RCW
3 74.39A.270(6)(f).

4 ~~((+7+))~~ (8) If, after the compensation and benefit provisions of an
5 agreement are approved by the legislature, a significant revenue
6 shortfall occurs resulting in reduced appropriations, as declared by
7 proclamation of the governor or by resolution of the legislature, both
8 parties shall immediately enter into collective bargaining for a
9 mutually agreed upon modification of the agreement.

10 **Sec. 5.** RCW 74.39A.310 and 2006 c 9 s 1 are each amended to read
11 as follows:

12 (1) The department shall create a formula that converts the cost of
13 the increase in wages and benefits negotiated and funded in the
14 contract for individual providers of home care services pursuant to RCW
15 74.39A.270 and 74.39A.300, into a per-hour amount, excluding those
16 benefits defined in subsection (2) of this section. That per-hour
17 amount shall be added to the statewide home care agency vendor rate and
18 shall be used exclusively for improving the wages and benefits of home
19 care agency workers who provide direct care. The formula shall account
20 for:

21 (a) All types of wages, benefits, and compensation negotiated and
22 funded each biennium, including but not limited to:

23 (i) Regular wages;

24 (ii) Benefit pay, such as vacation, sick, and holiday pay;

25 (iii) Taxes on wages/benefit pay; ~~((and))~~

26 (iv) Mileage; and

27 (v) Contributions to a joint labor-management partnership or trust
28 pursuant to section 1 of this act; and

29 (b) The increase in the average cost of worker's compensation for
30 home care agencies and application of the increases identified in (a)
31 of this subsection to all hours required to be paid, including travel
32 time, of direct service workers under the wage and hour laws and
33 associated employer taxes.

34 (2) The contribution rate for health care benefits, including but
35 not limited to medical, dental, and vision benefits, for eligible
36 agency home care workers shall be paid by the department to home care
37 agencies at the same rate as negotiated and funded in the collective
38 bargaining agreement for individual providers of home care services.

1 **Sec. 6.** RCW 41.56.465 and 1995 c 273 s 2 are each amended to read
2 as follows:

3 (1) In making its determination, the panel shall be mindful of the
4 legislative purpose enumerated in RCW 41.56.430 and, as additional
5 standards or guidelines to aid it in reaching a decision, it shall take
6 into consideration the following factors:

7 (a) The constitutional and statutory authority of the employer;

8 (b) Stipulations of the parties;

9 (c)(i) For employees listed in RCW 41.56.030(7)(a) through (d),
10 comparison of the wages, hours, and conditions of employment of
11 personnel involved in the proceedings with the wages, hours, and
12 conditions of employment of like personnel of like employers of similar
13 size on the west coast of the United States;

14 (ii) For employees listed in RCW 41.56.030(7)(e) through (h),
15 comparison of the wages, hours, and conditions of employment of
16 personnel involved in the proceedings with the wages, hours, and
17 conditions of employment of like personnel of public fire departments
18 of similar size on the west coast of the United States. However, when
19 an adequate number of comparable employers exists within the state of
20 Washington, other west coast employers may not be considered;

21 (iii) For employees listed in RCW 41.56.026 and 41.56.028, the cost
22 of meeting the training requirements in section 1 of this act and
23 providing other such programs and services necessary to protect the
24 quality of long-term health services;

25 (d) The average consumer prices for goods and services, commonly
26 known as the cost of living;

27 (e) Changes in any of the circumstances under (a) through (d) of
28 this subsection during the pendency of the proceedings; and

29 (f) Such other factors, not confined to the factors under (a)
30 through (e) of this subsection, that are normally or traditionally
31 taken into consideration in the determination of wages, hours, and
32 conditions of employment. For those employees listed in RCW
33 41.56.030(7)(a) who are employed by the governing body of a city or
34 town with a population of less than fifteen thousand, or a county with
35 a population of less than seventy thousand, consideration must also be
36 given to regional differences in the cost of living.

37 (2) Subsection (1)(c) of this section may not be construed to
38 authorize the panel to require the employer to pay, directly or
39 indirectly, the increased employee contributions resulting from chapter

1 502, Laws of 1993 or chapter 517, Laws of 1993 as required under
2 chapter 41.26 RCW.

3 NEW SECTION. **Sec. 7.** RCW 74.39A.190 (Community long-term care
4 training and education steering committee) and 2002 c 233 s 4 & 2000 c
5 121 s 8 are each repealed.

6 NEW SECTION. **Sec. 8.** The provisions of this act are to be
7 liberally construed to effectuate the intent, policies, and purposes of
8 this act.

9 NEW SECTION. **Sec. 9.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 10.** This act may be known and cited as the
14 establishing quality in long-term care services to the elderly and
15 persons with disabilities initiative.

--- END ---