
SENATE BILL 5926

State of Washington

62nd Legislature

2011 Regular Session

By Senators Keiser, Kline, Kohl-Welles, Harper, Murray, Chase, Conway, Nelson, and White

Read first time 04/08/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to restoring funding to in-home care services;
2 adding a new section to chapter 74.09 RCW; creating a new section;
3 repealing RCW 82.08.0273; and providing for submission of this act to
4 a vote of the people.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** In the governor's proposed 2011-13 budget,
7 in-home medicaid hours are being reduced for forty-five thousand
8 individuals by an average hour reduction of ten percent. These
9 services, like many other essential governmental functions, are funded
10 in great part by the state sales tax. The sales tax is paid by all
11 Washington residents and is duly imposed on the residents of most other
12 state and foreign jurisdictions. However, a few jurisdictions are
13 provided a unique exemption from the retail sales tax. Recognizing the
14 great hardship on Washington residents from the reduction in these
15 services, it is the intent of the voters to restore partial funding for
16 these reduced hours by repealing the nonresident sales tax exemption
17 and directing the receipts from the general fund to the medicaid
18 program.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW
2 to read as follows:

3 Decisions as to the hours of in-home care to be provided must be
4 based solely upon an objective assessment of medical need, as follows:
5 The department must provide eligible individuals with the hours of
6 in-home care designated as the "base hours" for their in-home group, as
7 set forth in WAC 388-106-0125, as it existed on December 1, 2010,
8 unless the individual is eligible for a modification in hours pursuant
9 to the objective standards set forth in WAC 388-106-0130 (2) through
10 (6), as those subsections existed on December 1, 2010. The department
11 may consider no other factors.

12 NEW SECTION. **Sec. 3.** RCW 82.08.0273 (Exemptions--Sales to
13 nonresidents of tangible personal property, digital goods, and digital
14 codes for use outside the state--Proof of nonresident status--
15 Penalties) and 2011 c 7 s 1, 2010 c 106 s 215, 2009 c 535 s 512, 2007
16 c 135 s 2, 2003 c 53 s 399, 1993 c 444 s 1, 1988 c 96 s 1, 1982 1st
17 ex.s. c 5 s 1, & 1980 c 37 s 39 are each repealed.

18 NEW SECTION. **Sec. 4.** (1) The secretary of state shall submit this
19 act to the people for their adoption and ratification, or rejection, at
20 the next general election to be held in this state, in accordance with
21 Article II, section 1 of the state Constitution and the laws adopted to
22 facilitate its operation.

23 (2) Pursuant to RCW 29A.72.050, the statement of subject and
24 concise description for the ballot title shall be as follows: "The
25 legislature has passed Senate Bill No. . . . (this act). This bill
26 would partially restore funding for in-home long-term care services for
27 eligible elderly and disabled persons by repealing the sales tax
28 exemption for nonresidents."

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