



Concise Explanatory Statement

RCW 34.05.325(6)

Long Term Services and Supports Implementation of Substitute House Bill 1323 – Elective Coverage for Federally Recognized Tribes

January 2022

REASONS FOR ADOPTING THE RULE

The adopted rule implements Section 7 of Substitute House Bill 1323, Chapter 112, Laws of 2021, as codified under RCW 50B.04.095. The bill, among other things, provides a pathway for federally recognized tribes to elect WA Cares Program coverage. The bill also requires the Employment Security Department to adopt rules to implement the section. Consistent with the elective coverage administrative rules for tribes under the Paid Family and Medical Leave Program, the adopted rule states that any employees are considered employees as that term is defined under the law. The adopted rule provides guidance to federally recognized tribes that may be interested in electing program coverage.

VARIANCE BETWEEN PROPOSED RULE AND FINAL RULE

There are no variances between the proposed rule and the final rule.

SUMMARY OF COMMENTS TO PROPOSED RULES AND AGENCY RESPONSE

There were no comments received related to the proposed rule during the formal comment period, nor were there any comments received during the rulemaking hearing.