

INTRODUCTION

Pursuant to RCW 34.05.328, the Leave and Care Division of the Employment Security Department (department) hereby places into the rulemaking file an implementation plan regarding adoption of a rule to implement Section 7 of Substitute House Bill 1323, Chapter 112, Laws of 2021, as codified under RCW 50B.04.095. The rule provides a pathway for federally recognized tribes to elect WA Cares Program coverage. The rule is consistent with the elective coverage administrative rules for tribes under the Paid Family and Medical Leave Program and 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. The rule is adopted as WAC 192-910-025 Election of coverage for federally recognized tribes.

PLAN TO IMPLEMENT AND ENFORCE THE RULE

The department will integrate the new rule into operational policy and discuss the rule with staff members. The content of the rule will also be integrated into the program's technological functions, to the extent possible, in order to implement the program, automate processes, and simplify the customer experience.

PLAN TO INFORM AND EDUCATE AFFECTED PERSONS ABOUT THE RULE

Information regarding the new rule will be posted on the department's website and included in all relevant online literature. Customer service staff members will be trained on the subject matter of the rule and will be available by phone and email to answer customer questions. Emails are sent to all LTSS mailing list subscribers summarizing the rulemaking processes and providing updates on any rules. Additional information, including the final text of the rule, will be available on the program's rulemaking website.

PLAN TO PROMOTE AND ASSIST VOLUNTARY COMPLIANCE

The plan to promote and assist voluntary compliance will be identical to the plan to inform and educate affected persons about the rule.

PLAN TO EVALUATE WHETHER THE RULES ACHIEVE THE PURPOSE FOR WHICH THEY WERE ADOPTED

The department will consider feedback from tribal governments, customers, and the stakeholder community in order to gauge the effectiveness and understanding of the rule.
