Dept of Social and Health Services

Program 030 - Mental Health

2027-29 Regular Budget Session

Policy Level - T7 - ESH and WSH - SB5236 Compliance

Agency Recommendation Summary

The Department of Social and Health Services (DSHS), Behavioral Health and Habilitation Administration (BHHA) requests $23,730,000 GF-State and 65.0 FTEs for Eastern State Hospital (ESH) and Western State Hospital (WSH) to continue compliance with E2SSB 5236 Concerning Hospital Staffing Standards, (Chapter 114, Laws of 2023) passed in 2023 session.

Fiscal Summary

Fiscal Summary *Dollars in Thousands*	Fiscal Years		Biennial	Fiscal Years		Biennial
	2028	2029	2027-29	2030	2031	2029-31
Staffing						
FTEs	65.0	65.0	**65.0**	65.0	65.0	**65.0**
Operating Expenditures						
Fund 001 - 1	$11,865	$11,865	**$23,730**	$11,865	$11,865	**$23,730**
Total Expenditures	**$11,865**	**$11,865**	**$23,730**	**$11,865**	**$11,865**	**$23,730**

Decision Package Description

PROBLEM STATEMENT:

Current funded staffing levels at ESH and WSH are insufficient to meet the requirements of E2SSB 5236. As a result, ESH and WSH must increasingly rely on overtime and contracted staffing to maintain required staffing levels and ensure the safety and continuity of patient care.

Eastern State Hospital (ESH) and Western State Hospital (WSH) provide evaluation, competency restoration, and inpatient psychiatric treatment for adults with serious and long-term mental illness. Both hospitals provide evidence-based treatment, interventions, and therapeutic activities that promote recovery, instill hope, support patient independence, and facilitate successful reintegration into the community.

In the 2023 legislative session, the Legislature enacted E2SSB 5236 (RCW 70.41.410), modifying minimum staffing requirements for hospitals and requiring hospitals to report staffing levels to the Department of Health (DOH) and maintain required staffing levels. The legislation also established financial penalties, administered by the Department of Labor and Industries (L&I), for hospitals that fail to meet these requirements.

ESH and WSH must maintain staffing levels that support both compliance with E2SSB 5236 and the safe delivery of care. However, staffing needs at the hospitals are highly dynamic and can change significantly based on patient acuity, census, behavioral needs, treatment requirements, and other factors. The complex and often unpredictable needs of individuals receiving inpatient psychiatric care require additional staff beyond funded levels to maintain safe treatment environments and meet required staffing standards.

Overtime and contracted staffing carry significant premium costs above the hospitals' funded staffing levels. These costs have resulted in expenditures exceeding the amounts included in current staffing budgets. Without additional funding, ESH and WSH will continue to incur these premium staffing costs as they work to meet statutory staffing requirements and respond to the dynamic needs of the patients they serve.

PROPOSED SOLUTION:

BHHA requests $23,730,000 GF-State and 65.0 FTEs for ESH and WSH to cover the increased staffing costs necessary to meet E2SSB 5236 minimum staffing requirements and maintain safe staffing levels. This funding will support the hospitals' continued ability to provide safe, high-quality patient care while reducing the budgetary impact of reliance on overtime and contracted staffing to address staffing needs that exceed current funded levels.

EXPECTED RESULTS:

This investment will strengthen the state's ability to provide safe, effective, and continuous care at ESH and WSH and support long-term operational sustainability.

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Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

None

Detailed Assumptions and Calculations:

See attached - 030-PL-T7-ESH and WSH – E2SSB 5236 Compliance DP Detail.xlsb

Workforce Assumptions:

See attached - 030-PL-T7-ESH and WSH – E2SSB 5236 Compliance DP Detail.xlsb

Historical Funding:

Historical funding includes the total operating budgets for ESH and WSH.
FY2028

- FTE = 3,760.2 FTE
- Total Funds = $567.4 million
- Near General Fund = $481.5 million
- Other Funds = $85.9 million

FY2029

- FTE = 3,760.2 FTE
- Total Funds = $567.4 million
- Near General Fund = $481.5 million
- Other Funds = $85.9 million

Strategic and Performance Outcomes

Strategic Framework:

BHA - 2. Promote a culture of safety for staff and individuals in our care.

GOVERNOR'S YOUR WASHINGTON GOALS:
Healthcare

Performance Outcomes:

PERFORMANCE MEASURES
Not Applicable

PERFORMANCE OUTCOMES:
See Expected Results

Equity Impacts

Community Outreach and Engagement:

Feedback is being integrated through the hospital staffing committees at state hospitals.

Disproportional Impact Considerations:

There are no populations or communities who are marginalized or disproportionately impacted by this proposal. Should there be a change, appropriate action will be taken to address the issue.

Target Communities and Populations:

ESH and WSH patients come from varied backgrounds and are from across the state. This funding will benefit them as BHHA continues in its commitment to safe and effective patient treatment, the health and safety of staff, and to support the modernizing of behavior health operations.

Community Inputs and Incorporation:

During the legislative session in which E2SSB 5236 was passed there were public hearings in which the community could listen and voice opposition or support of the bill.

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

Not Applicable

Puget Sound Recovery:

Not Applicable

State Workforce Impacts:

Not Applicable

Intergovernmental:

Compliance with RCW 70.41.410 impacts The Office of the Attorney General, Office of Administrative Hearings, LNI, and DOH.

Stakeholder Impacts:

Not Applicable

State Facilities Impacts:

Not Applicable

Changes from Current Law:

Not Applicable

Legal or Administrative Mandates:

Minimum staffing levels developed as directed by RCW 70.41.410.

Governor's Salmon Strategy:

Not Applicable

Reference Documents

030-PL-T7-ESH and WSH - E2SSB 5236 Compliance DP Detail.xlsb

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure *Dollars in Thousands*	Fiscal Years		Biennial	Fiscal Years		Biennial
	2028	2029	2027-29	2030	2031	2029-31
Obj. A	$7,594	$7,594	**$15,188**	$7,594	$7,594	**$15,188**
Obj. B	$4,271	$4,271	**$8,542**	$4,271	$4,271	**$8,542**

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