

Location	Zoom
Time	9:00 AM – 11:00 PM
Attendees	Paid Family and Medical Leave Director: Lisa Kissler Employee's Interests Representative: Maggie Humphreys Employee's Interests Representative: Marilyn Watkins Employee's Interests Representative: Samantha Grad Employer's Interests Representative: Bob Battles Employer's Interests Representative: Christine Brewer Paid Family and Medical Leave Act Ombuds: Edsonya Charles Employer's Interests Representative: Julia Gorton Employee's Interests Representative: Joe Kendo Employer's Interests Representative: Tammie Hetrick Employee's Interests Representative: Brenda Wiest
Guests	
Members Absent	Employee's Interests Representative: Maggie Humphreys Employee's Interests Representative: Brenda Wiest
Scribe	Liz Merrick

Introductions - Members introduced themselves.

Approve August & September Meeting Minutes – Members stated that meeting minutes were not easily understood. Asked that they will be written as more of a record. Would like meeting minutes 24 hrs. in advance. Matt said we would look at Sept. as written, make more comprehensive and re-send them out. Meeting minutes not adopted, will discuss at November's meeting.

Agenda:

- Premium Rates
 - Matt presented high level overview starting on slide 7. Slide 8 reviewed family/medical split and employer/employee portions. Slide 9 reviewed premium rate calculations for 2022. January premiums going up to .6%. Slide 11 reviewed weekly premiums per employee comparing 2021 to 2022 rates. Slided 12 displayed annual premium on median payroll for employer size.
 - Plans to speak to August/September data – being covered in future slides.
- Upcoming legislative session
 - **Bob:** the intent was that we don't have surprise legislation and he appreciates the chance to review. Believes it's important for AC members to provide input before it goes to the Legislature.
 - **Marilyn:** Allow people to apply in advance of event. Massachusetts is allowing individuals to apply in advance. Another would be more explicit of allowing advocates on behalf of employee. Access to computers or language access needs for employees. This would make things smoother for the program.
 - **Edsonya:** There is already a form for employees to sign to have an advocate. **Bob:** there is already a rule, so nothing is prohibiting advocates. Possible to explore situations to see if there does need to be changes.

- **Matt:** Possibly go back and look at current legal construction to see if there needs to be changes. Will look at pre-qualifications and the law. **Marilyn:** next meeting would like to discuss more about possible Legislation, rule and practices which are creating obstacles.
 - **Samantha:** Employee rely on union; they are struggling with working through the process of claims and getting information. Would like to see advocate in the application process from the beginning.
 - **Julia:** sees that there are legitimate questions and don't see a problem in working on this moving forward.
 - **Marilyn:** Cash flow, and lack of flexibility. Other programs i.e. L&I, helps with short term cash flow. **Lisa:** The fund structure/calculations the way it works currently in the law. It's good currently but doesn't offer much in the way of flexibility. Having conversations about what might be better for the program. Appropriate conversations around needs and what the process will be moving forward. **Nick D:** A topic where a lot of work is still on going. Can share as we are doing the work. Put place holder on this topic to get feedback and update on ongoing work. **Bob:** will wait for more information but it appears we are looking for more work? But will want to talk more and get more information. Have not had 2 years of normalcy and there has been the pandemic. **Christine:** Is the department saying they needing more staff? Lisa said current ask is not around staff it's around cashflow.
Marilyn: have from the department an analysis of enforcement authority. Wanting to make sure the department has authority.
Matt: Specific information that the department has not shared? Marilyn: possibly piece meal instead of more targeted asks. **Matt and Marilyn to follow up after meeting to review ask for specifics.**
Bob: same privacy provisions that will not allow for voluntary plans? **April:** exclusive for WA Cares. Wanting to make sure the privacy applies to both programs. Technical fixes only need to add provisions so both programs align. Fundamental disagreements on how Leave and Care works in comparison to L&I and other Departments. Joe echoes Bob's ask.
- Claims data – volumes, payments, types
 - Rebecca Grady began review with slide 15 broad strokes of claims submitted looking at monthly totals from January 2020 through September 2021. Slide 16 reviewed claims submitted: Monthly trends by subtype then moved to slide 17 which focused on monthly trends by subtype zooming into the past 15 months.
 - Looks like medical claims are going up. Have data around COVID-19 claims. Not stored in a way to see what portion of claims are around. **Bob:** what would it take to get that data? Would need to ask customers for additional data. Doesn't physician fill out form? Yes. **Edsonya:** It would take going through each claim and reviewing the med cert. This would be labor intensive with possible privacy concerns. **Matt:** Things to think about around this; 1. Wouldn't want to create additional barriers to access. 2. Adding this to the process could increase processing time. It may be possible to complete the ask in the future. **Lisa:** we could possibly do a sampling of med certs. **Bob:** believes this is an issue if we don't know what fund solvency is and why customers are filing claims. We can do analysis around coloration and Lisa agreed with Bob on this part of the ask. **Julia** believes that finding out this information specifically around COVID-19. If employees and employers are going to be paying more, then the Legislature should know that.
 - **Tammie:** Look for release of information, data sharing, interpret leave. Looking for mirrored language as in other agencies.

- **Joe:** Graphs shows zero claims for military. Very low and asking if there are any outreach plans to increase access. The plan is to have outreach towards this group of clients.
- **Lisa/ Matt:** during the pandemic, congress expanded UI claim eligibility. Some requirements were eliminated. Speculating that some people may have been on UI and may have also qualified for PFML in the alternate qualifying period established by HB1073. Looking at slide 17, this includes everyone regardless of funding source. **Marilyn & Bob** would like to see this graph with 1073 claims separated out.
1073 are paid out of separate fund. Yes, we can come back to show applications submitted and what is 1073 vs not. Matt said since 1073 passed, we have approved 750 claims.
Marilyn: does this graph, slide 17, show weekly claims? Rebecca said it shows submitted benefit applications, not weekly claims. Slide 18 showed benefits paid monthly zooming into the past 15 months. This includes 1073 claims. **Marilyn:** does this represent when claims are paid or when funds are dispersed? This is based on when the weekly claims are approved. Slide 19 shows the share of family and medical claims by month in the last 12 months.
- Medical & bonding leave for birthing parents (Slide 21)
 - Questions we aim to answer:
 - What is the leave taking behavior of customers who appear to be birthing mothers?
 - How are they combining their leave?
 - Lengths of leave? How much leave are they taking?
 - Excluded claims with 2019 births or placements as well as anyone who would have taken medical leave but didn't qualify for the additional 2 weeks of pregnancy-complication leave and didn't apply for bonding because our data does not allow us to differentiate medical claims for childbirth or pregnancy from other medical claims.
 - Ended up with 37,991 claims, 24,813 female customers. This includes customers who took leave from the time that benefits became available in January 2020 to present and whose claim year has ended, excluding 2019 births.
 - **Marilyn:** entire pie chart is someone who has given birth and is the parent? **Rebecca** said this is as close as we can estimate. Chart doesn't include someone who gives birth but is not a parent? It potentially could if someone used pregnancy complication leave.
 - **Bob:** This excludes those who identify as the birthing parent but are male. Correct.
 - **Edsonya:** would like to renew request that the department looks at a way to simplify the medical to bonding transition. Like the California method. Ombuds still gets calls and this process is still confusing. **Bob:** Would like a streamlined process to be looked at, such as a single process application for both medical and bonding leave. Matt said we are always looking at a way to streamline. Marilyn would like a timeline of how this is going to happen, and Bob echoes the ask. What are the timelines of putting this streamlined process in place, needing to know why. The program is in the process of updating website to provide more clarity to customers about taking medical and bonding leave for childbirth, placement, and pregnancy. Edsonya raised question around 4 weeks of regular leave amount. Some look at extending as other states of 6 weeks. Julie believes we need to go to the medical provider to determine amount of leave. Matt said that we always have physician's input. Doctors are currently signing med certs for 12 weeks. For this chart on slide 22 we are looking at claims that have ended. Slide 23 looks at how much total leave customers use in their claim year. Slide 24 showed the average length of leave for each leave type for those who took medical/pregnancy complications and bonding leave. Slide 25 showed what

portion of customers used all leave available to them. Slide 26 reviewed the results of the survey that the program did to customers who only took bonding leave, and not medical leave. Updates to the current website has addressed any clarity in different types of leave. Received 898 responses out of 7,500 customers surveyed. Slide 27 reviewed why they didn't take medical leave. They didn't know why they didn't take it. 61% said they knew they could take medical leave. Around 40% said they were not aware they could take medical leave. Within the survey, first question is multiple choice of if they are aware, they could take medical leave. Second question was did you know you could take medical/bonding leave. Some of the didn't know category the clients didn't provide information to dive in further. These are numbers, not percentages on the chart.

- Ombuds report
 - Slide 29 was the summary of calls from January – June 2021. 1,134 calls received with an average of 189 calls per month. Low of 144 in February with a high of 217 in March. Slide 30 shows the top reasons for calls from January – June 2021. Chart includes topics with less than 3% of calls each. Slide 31 are complaints needing additional intervention from the department. 108 received between January – June 2021.
Joe: Employer payments? This is employer collecting payments to the department. Showing slide 32 is regarding hardship requests. Most hardship requests now are redeterminations. Slide 33 reviewed reasonable accommodations from March-June 2021. There is a dedicated phone line and email addressed to Reasonable accommodations.
Marilyn: What communication do people get from the department if they are denied? John replied that in the denial letter there is communications around redeterminations. Redetermination timeline was down and went up this summer with the department working at getting timeline back down.
Edsonya thanks the department for all their help. Would like to meet with Matt around enforcement authority.
- Meeting schedule for 2022 – Members had no objections to 2022 meeting schedule. Liz will set up.

November 19 agenda topics

- **Talk through pre-qualifications**
- **Allowing advocates to represent clients.**
- **Models around cashflow**
- **Enforcement authority**
- **Pregnancy / bonding/ medical and timeline**

Open comment and adjourn

- **Julia:** Staffing needs in legislative ask?
 - **Lisa responded that** there was a budget proviso submitted in September. Department is currently in process of getting full final green light from OFM. Partially ramping up on increase of staffing. **Bob:** do you need more staff so that the Advisory Committee can help with that ask. Department has made the budget ask. Nick and communications will circle back with more information as it comes through. **Marilyn** said that around 7,000 calls were dropped or abandoned. As well at looking at 1 hour call times to be lessened. Unclear to us if the

staffing model includes concrete goals around call times. Christine would like the staffing model to be shared with Advisory Committee members. This way the group could support needs before the Governor's office. Lisa is good with sharing decision package with the group and Nick will circle around with Matt to send copy out to group. Nick sees in this conversation around the great value of the program and at the same time we are during a global pandemic. Will get communication out around the best way to keep the program moving forward.

Next Meeting: Thursday, November 18 @ 9:00 am | This meeting will be held via ZOOM only