
HOUSE BILL 2904

State of Washington 59th Legislature 2006 Regular Session

By Representatives Bailey, Skinner, Haler, Alexander, Curtis, Talcott, Hinkle, Condotta, Clements, Pearson, Ahern, Strow, Schindler, Dunn, Anderson, McDonald, Serben, Roach, McCune, Shabro, Ericksen and Holmquist

Read first time 01/16/2006. Referred to Committee on Health Care.

1 AN ACT Relating to the sunset review of certain health insurance
2 provisions; adding new sections to chapter 43.131 RCW; and providing an
3 effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.131 RCW
6 to read as follows:

7 The provisions of chapter 48.21 RCW, group and blanket disability
8 insurance, shall be terminated July 1, 2008, as provided in section 2
9 of this act.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.131 RCW
11 to read as follows:

12 The following acts or parts of acts, as now existing or hereafter
13 amended, are each repealed, effective July 1, 2009:

14 (1) RCW 48.21.010 ("Group disability insurance" defined) and 1992
15 c 226 s 2, 1949 c 190 s 27, & 1947 c 79 s .21.01;

16 (2) RCW 48.21.015 ("Group stop loss insurance" defined for the
17 purpose of exemption--Scope of application) and 2000 c 80 s 8 & 1992 c
18 226 s 3;

1 (3) RCW 48.21.020 ("Employees," "employer" defined) and 1947 c 79
2 s .21.02;
3 (4) RCW 48.21.030 (Health care groups) and 1947 c 79 s .21.03;
4 (5) RCW 48.21.040 ("Blanket disability insurance" defined) and 1959
5 c 225 s 7 & 1947 c 79 s .21.04;
6 (6) RCW 48.21.045 (Health plan benefits for small employers--
7 Coverage--Exemption from statutory requirements--Premium rates--
8 Requirements for providing coverage for small employers--Definitions)
9 and 2004 c 244 s 1, 1995 c 265 s 14, & 1990 c 187 s 2;
10 (7) RCW 48.21.047 (Requirements for plans offered to small
11 employers--Definitions) and 2005 c 223 s 11 & 1995 c 265 s 22;
12 (8) RCW 48.21.050 (Standard provisions required) and 1947 c 79 s
13 .21.05;
14 (9) RCW 48.21.060 (The contract--Representations) and 1947 c 79 s
15 .21.06;
16 (10) RCW 48.21.070 (Payment of premiums) and 1947 c 79 s .21.07;
17 (11) RCW 48.21.075 (Payment of premiums by employee in event of
18 suspension of compensation due to labor dispute) and 1975 1st ex.s. c
19 117 s 1;
20 (12) RCW 48.21.080 (Certificates of coverage) and 1961 c 194 s 6 &
21 1947 c 79 s .21.08;
22 (13) RCW 48.21.090 (Age limitations) and 1947 c 79 s .21.09;
23 (14) RCW 48.21.100 (Examination and autopsy) and 1947 c 79 s
24 .21.10;
25 (15) RCW 48.21.110 (Payment of benefits) and 1955 c 303 s 17 & 1947
26 c 79 s .21.11;
27 (16) RCW 48.21.120 (Readjustment of premiums--Dividends) and 1947
28 c 79 s .21.12;
29 (17) RCW 48.21.125 (When injury caused by intoxication or use of
30 narcotics) and 2004 c 112 s 3;
31 (18) RCW 48.21.130 (Chiropody) and 1963 c 87 s 2;
32 (19) RCW 48.21.140 (Optometry) and 1965 c 149 s 3;
33 (20) RCW 48.21.141 (Registered nurses or advanced registered
34 nurses) and 1994 sp.s. c 9 s 730 & 1973 1st ex.s. c 188 s 4;
35 (21) RCW 48.21.142 (Chiropractic) and 1971 ex.s. c 13 s 2;
36 (22) RCW 48.21.143 (Diabetes coverage--Definitions) and 2004 c 244
37 s 10 & 1997 c 276 s 3;

1 (23) RCW 48.21.144 (Psychological services) and 1971 ex.s. c 197 s
2 2;

3 (24) RCW 48.21.146 (Dentistry) and 1974 ex.s. c 42 s 2;

4 (25) RCW 48.21.148 (Denturist services) and 1995 c 1 s 22;

5 (26) RCW 48.21.150 (Dependent child coverage--Continuation for
6 incapacity) and 1977 ex.s. c 80 s 32 & 1969 ex.s. c 128 s 4;

7 (27) RCW 48.21.155 (Dependent child coverage--From moment of
8 birth--Congenital anomalies--Notification of birth) and 1983 1st ex.s.
9 c 32 s 20 & 1974 ex.s. c 139 s 2;

10 (28) RCW 48.21.160 (Chemical dependency benefits--Legislative
11 declaration) and 1987 c 458 s 13 & 1974 ex.s. c 119 s 1;

12 (29) RCW 48.21.180 (Chemical dependency benefits--Contracts issued
13 or renewed after January 1, 1988) and 2003 c 248 s 9, 1990 1st ex.s. c
14 3 s 7, 1987 c 458 s 14, & 1974 ex.s. c 119 s 3;

15 (30) RCW 48.21.190 (Chemical dependency benefits--RCW 48.21.160
16 through 48.21.190, 48.44.240 inapplicable, when) and 1975 1st ex.s. c
17 266 s 10 & 1974 ex.s. c 119 s 5;

18 (31) RCW 48.21.195 ("Chemical dependency" defined) and 1987 c 458
19 s 15;

20 (32) RCW 48.21.197 (Chemical dependency benefits--Rules) and 1987
21 c 458 s 21;

22 (33) RCW 48.21.200 (Group disability, health care service contract,
23 health maintenance agreement--Reduction or refusal of benefits on basis
24 of other existing coverages) and 1993 c 492 s 282;

25 (34) RCW 48.21.220 (Home health care, hospice care, optional
26 coverage required--Standards, limitations, restrictions--Rules--
27 Medicare supplemental contracts excluded) and 1988 c 245 s 31, 1984 c
28 22 s 1, & 1983 c 249 s 1;

29 (35) RCW 48.21.225 (Mammograms--Insurance coverage) and 1994 sp.s.
30 c 9 s 731 & 1989 c 338 s 2;

31 (36) RCW 48.21.230 (Reconstructive breast surgery) and 1985 c 54 s
32 6 & 1983 c 113 s 2;

33 (37) RCW 48.21.235 (Mastectomy, lumpectomy) and 1985 c 54 s 2;

34 (38) RCW 48.21.240 (Mental health treatment, optional supplemental
35 coverage--Waiver) and 2005 c 6 s 7, 1987 c 283 s 3, 1986 c 184 s 2, &
36 1983 c 35 s 1;

37 (39) RCW 48.21.241 (Mental health services--Definition--Coverage
38 required, when) and 2005 c 6 s 3;

1 (40) RCW 48.21.242 (Mental health treatment--Waiver of
2 preauthorization for persons involuntarily committed) and 1993 c 272 s
3 3;

4 (41) RCW 48.21.244 (Benefits for prenatal diagnosis of congenital
5 disorders--Contracts entered into or renewed on or after January 1,
6 1990) and 1988 c 276 s 6;

7 (42) RCW 48.21.250 (Continuation option to be offered) and 1984 c
8 190 s 2;

9 (43) RCW 48.21.260 (Conversion policy to be offered--Exceptions,
10 conditions) and 1984 c 190 s 3;

11 (44) RCW 48.21.270 (Conversion policy--Restrictions and
12 requirements) and 1984 c 190 s 4;

13 (45) RCW 48.21.280 (Coverage for adopted children) and 1986 c 140
14 s 3;

15 (46) RCW 48.21.290 (Cancellation of rider) and 1987 c 37 s 2;

16 (47) RCW 48.21.300 (Phenylketonuria) and 1988 c 173 s 2;

17 (48) RCW 48.21.310 (Neurodevelopmental therapies--Employer-
18 sponsored group contracts) and 1989 c 345 s 2;

19 (49) RCW 48.21.320 (Temporomandibular joint disorders--Insurance
20 coverage) and 1989 c 331 s 2;

21 (50) RCW 48.21.325 (Prescriptions--Preapproval of individual
22 claims--Subsequent rejection prohibited--Written record required) and
23 1993 c 253 s 3; and

24 (51) RCW 48.21.330 (Nonresident pharmacies) and 2005 c 274 s 311 &
25 1991 c 87 s 8.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.131 RCW
27 to read as follows:

28 The provisions of chapter 48.43 RCW, insurance reform, shall be
29 terminated July 1, 2008, as provided in section 4 of this act.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.131 RCW
31 to read as follows:

32 The following acts or parts of acts, as now existing or hereafter
33 amended, are each repealed, effective July 1, 2009:

34 (1) RCW 48.43.001 (Intent) and 1996 c 312 s 1;

35 (2) RCW 48.43.005 (Definitions) and 2004 c 244 s 2;

1 (3) RCW 48.43.012 (Individual health benefit plans--Preexisting
2 conditions) and 2001 c 196 s 6 & 2000 c 79 s 19;
3 (4) RCW 48.43.015 (Health benefit plans--Preexisting conditions)
4 and 2004 c 192 s 5, 2001 c 196 s 7, 2000 c 80 s 3, 2000 c 79 s 20, &
5 1995 c 265 s 5;
6 (5) RCW 48.43.018 (Requirement to complete the standard health
7 questionnaire--Exemptions--Results) and 2004 c 244 s 3, 2001 c 196 s 8,
8 2000 c 80 s 4, & 2000 c 79 s 21;
9 (6) RCW 48.43.021 (Personally identifiable health information--
10 Restrictions on release) and 2000 c 79 s 22;
11 (7) RCW 48.43.022 (Enrollee identification card--Social security
12 number restriction) and 2004 c 115 s 1;
13 (8) RCW 48.43.023 (Pharmacy identification cards--Rules) and 2001
14 c 106 s 2;
15 (9) RCW 48.43.025 (Group health benefit plans--Preexisting
16 conditions) and 2001 c 196 s 9, 2000 c 79 s 23, & 1995 c 265 s 6;
17 (10) RCW 48.43.028 (Eligibility to purchase certain health benefit
18 plans--Small employers and small groups) and 2001 c 196 s 10;
19 (11) RCW 48.43.035 (Group health benefit plans--Guaranteed issue
20 and continuity of coverage--Exceptions--Group of one) and 2004 c 244 s
21 4, 2000 c 79 s 24, & 1995 c 265 s 7;
22 (12) RCW 48.43.038 (Individual health plans--Guarantee of
23 continuity of coverage--Exceptions) and 2000 c 79 s 25;
24 (13) RCW 48.43.041 (Individual health benefit plans--Mandatory
25 benefits) and 2000 c 79 s 26;
26 (14) RCW 48.43.045 (Health plan requirements--Annual reports--
27 Exemptions) and 1997 c 231 s 205 & 1995 c 265 s 8;
28 (15) RCW 48.43.055 (Procedures for review and adjudication of
29 health care provider complaints--Requirements) and 2005 c 172 s 19,
30 2002 c 300 s 6, & 1995 c 265 s 20;
31 (16) RCW 48.43.065 (Right of individuals to receive services--Right
32 of providers, carriers, and facilities to refuse to participate in or
33 pay for services for reason of conscience or religion--Requirements)
34 and 1995 c 265 s 25;
35 (17) RCW 48.43.085 (Health carrier may not prohibit its enrollees
36 from contracting for services outside the health care plan) and 1996 c
37 312 s 3;

1 (18) RCW 48.43.087 (Contracting for services at enrollee's
2 expense--Mental health care practitioner--Conditions--Exception) and
3 2001 c 251 s 33 & 1996 c 304 s 1;
4 (19) RCW 48.43.091 (Health carrier coverage of outpatient mental
5 health services--Requirements) and 1999 c 87 s 1;
6 (20) RCW 48.43.093 (Health carrier coverage of emergency medical
7 services--Requirements--Conditions) and 1997 c 231 s 301;
8 (21) RCW 48.43.097 (Filing of financial statements--Every health
9 carrier) and 1999 c 33 s 3;
10 (22) RCW 48.43.105 (Preparation of documents that compare health
11 carriers--Immunity--Due diligence) and 1996 c 312 s 5;
12 (23) RCW 48.43.115 (Maternity services--Intent--Definitions--
13 Patient preference--Clinical sovereignty of provider--Notice to
14 policyholders--Application) and 2003 c 248 s 14 & 1996 c 281 s 1;
15 (24) RCW 48.43.125 (Coverage at a long-term care facility following
16 hospitalization--Definition) and 1999 c 312 s 2;
17 (25) RCW 48.43.180 (Denturist services) and 1995 c 1 s 23;
18 (26) RCW 48.43.185 (General anesthesia services for dental
19 procedures) and 2001 c 321 s 2;
20 (27) RCW 48.43.200 (Disclosure of certain material transactions--
21 Report--Information is confidential) and 1995 c 86 s 7;
22 (28) RCW 48.43.205 (Material acquisitions or dispositions) and 1995
23 c 86 s 8;
24 (29) RCW 48.43.210 (Asset acquisitions--Asset dispositions) and
25 1995 c 86 s 9;
26 (30) RCW 48.43.215 (Report of a material acquisition or disposition
27 of assets--Information required) and 1995 c 86 s 10;
28 (31) RCW 48.43.220 (Material nonrenewals, cancellations, or
29 revisions of ceded reinsurance agreements) and 1995 c 86 s 11;
30 (32) RCW 48.43.225 (Report of a material nonrenewal, cancellation,
31 or revision of ceded reinsurance agreements--Information required) and
32 1995 c 86 s 12;
33 (33) RCW 48.43.300 (Definitions) and 1998 c 241 s 1;
34 (34) RCW 48.43.305 (Report of RBC levels--Distribution of report--
35 Formula for determination--Commissioner may make adjustments) and 1998
36 c 241 s 2;
37 (35) RCW 48.43.310 (Company action level event--Required RBC plan--

1 Commissioner's review--Notification--Challenge by carrier) and 1998 c
2 241 s 3;

3 (36) RCW 48.43.315 (Regulatory action level event--Required RBC
4 plan--Commissioner's review--Notification--Challenge by carrier) and
5 1998 c 241 s 4;

6 (37) RCW 48.43.320 (Authorized control level event--Commissioner's
7 options) and 1998 c 241 s 5;

8 (38) RCW 48.43.325 (Mandatory control level event--Commissioner's
9 duty--Regulatory control) and 1998 c 241 s 6;

10 (39) RCW 48.43.330 (Carrier's right to hearing--Request by
11 carrier--Date set by commissioner) and 1998 c 241 s 7;

12 (40) RCW 48.43.335 (Confidentiality of RBC reports and plans--Use
13 of certain comparisons prohibited--Certain information intended solely
14 for use by commissioner) and 1998 c 241 s 8;

15 (41) RCW 48.43.340 (Powers or duties of commissioner not limited--
16 Rules) and 1998 c 241 s 9;

17 (42) RCW 48.43.345 (Foreign or alien carriers--Required RBC
18 report--Commissioner may require RBC plan--Mandatory control level
19 event) and 1998 c 241 s 10;

20 (43) RCW 48.43.350 (No liability or cause of action against
21 commissioner or department) and 1998 c 241 s 11;

22 (44) RCW 48.43.355 (Notice by commissioner to carrier--When
23 effective) and 1998 c 241 s 12;

24 (45) RCW 48.43.360 (Initial RBC reports--Calculation of initial RBC
25 levels--Subsequent reports) and 1998 c 241 s 13;

26 (46) RCW 48.43.365 (RBC report for 1998 calendar year) and 1998 c
27 241 s 14;

28 (47) RCW 48.43.366 (Self-funded multiple employer welfare
29 arrangements) and 2004 c 260 s 19;

30 (48) RCW 48.43.370 (RBC standards not applicable to certain
31 carriers) and 1998 c 241 s 15;

32 (49) RCW 48.43.500 (Intent--Purpose--2000 c 5) and 2000 c 5 s 1;

33 (50) RCW 48.43.505 (Requirement to protect enrollee's right to
34 privacy or confidential services--Rules) and 2000 c 5 s 5;

35 (51) RCW 48.43.510 (Carrier required to disclose health plan
36 information--Marketing and advertising restrictions--Rules) and 2000 c
37 5 s 6;

1 (52) RCW 48.43.515 (Access to appropriate health services--Enrollee
2 options--Rules) and 2000 c 5 s 7;
3 (53) RCW 48.43.520 (Requirement to maintain a documented
4 utilization review program description and written utilization review
5 criteria--Rules) and 2000 c 5 s 8;
6 (54) RCW 48.43.525 (Prohibition against retrospective denial of
7 health plan coverage--Rules) and 2000 c 5 s 9;
8 (55) RCW 48.43.530 (Requirement for carriers to have a
9 comprehensive grievance process--Carrier's duties--Procedures--
10 Appeals--Rules) and 2000 c 5 s 10;
11 (56) RCW 48.43.535 (Independent review of health care disputes--
12 System for using certified independent review organizations--Rules) and
13 2000 c 5 s 11;
14 (57) RCW 48.43.540 (Requirement to designate a licensed medical
15 director--Exemption) and 2002 c 103 s 1 & 2000 c 5 s 13;
16 (58) RCW 48.43.545 (Standard of care--Liability--Causes of action--
17 Defense--Exception) and 2000 c 5 s 17;
18 (59) RCW 48.43.550 (Delegation of duties--Carrier accountability)
19 and 2000 c 5 s 18;
20 (60) RCW 48.43.600 (Overpayment recovery--Carrier) and 2005 c 278
21 s 1;
22 (61) RCW 48.43.605 (Overpayment recovery--Health care provider) and
23 2005 c 278 s 2;
24 (62) RCW 48.43.901 (Captions not law--1996 c 312) and 1996 c 312 s
25 6;
26 (63) RCW 48.43.902 (Effective date--1996 c 312) and 1996 c 312 s 8;
27 and
28 (64) RCW 48.43.903 (Severability--1998 c 241) and 1998 c 241 s 17.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.131 RCW
30 to read as follows:

31 The provisions of chapter 48.44 RCW, health care services, shall be
32 terminated July 1, 2008, as provided in section 6 of this act.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.131 RCW
34 to read as follows:

35 The following acts or parts of acts, as now existing or hereafter
36 amended, are each repealed, effective July 1, 2009:

1 (1) RCW 48.44.010 (Definitions) and 1990 c 120 s 1 & 1986 c 223 s
2 1;

3 (2) RCW 48.44.011 (Agent--Definition--License required--
4 Application, issuance, renewal, fees--Penalties involving license) and
5 1983 c 202 s 1 & 1969 c 115 s 7;

6 (3) RCW 48.44.013 (Filings with secretary of state--Copy for
7 commissioner) and 1998 c 23 s 16;

8 (4) RCW 48.44.015 (Registration by health care service contractors
9 required--Penalty) and 2003 c 250 s 7, 1983 c 202 s 2, & 1969 c 115 s
10 6;

11 (5) RCW 48.44.016 (Unregistered activities--Acts committed in this
12 state--Sanctions) and 2003 c 250 s 8;

13 (6) RCW 48.44.017 (Schedule of rates for individual contracts--Loss
14 ratio--Remittance of premiums--Definitions) and 2001 c 196 s 11 & 2000
15 c 79 s 29;

16 (7) RCW 48.44.020 (Contracts for services--Examination of contract
17 forms by commissioner--Grounds for disapproval--Liability of
18 participant) and 2000 c 79 s 28, 1990 c 120 s 5, 1986 c 223 s 2, 1985
19 c 283 s 1, 1983 c 286 s 4, 1973 1st ex.s. c 65 s 1, 1969 c 115 s 1,
20 1961 c 197 s 2, & 1947 c 268 s 2;

21 (8) RCW 48.44.022 (Calculation of premiums--Adjusted community
22 rate--Definitions) and 2004 c 244 s 6, 2000 c 79 s 30, 1997 c 231 s
23 208, & 1995 c 265 s 15;

24 (9) RCW 48.44.023 (Health plan benefits for small employers--
25 Coverage--Exemption from statutory requirements--Premium rates--
26 Requirements for providing coverage for small employers) and 2004 c 244
27 s 7, 1995 c 265 s 16, & 1990 c 187 s 3;

28 (10) RCW 48.44.024 (Requirements for plans offered to small
29 employers--Definitions) and 2003 c 248 s 15 & 1995 c 265 s 23;

30 (11) RCW 48.44.026 (Payment for certain health care services) and
31 1999 c 130 s 1, 1994 sp.s. c 9 s 732, 1990 c 120 s 6, 1989 c 122 s 1,
32 1984 c 283 s 1, & 1982 c 168 s 1;

33 (12) RCW 48.44.030 (Underwriting of indemnity by insurance policy,
34 bond, securities, or cash deposit) and 1990 c 120 s 7, 1986 c 223 s 3,
35 1981 c 339 s 22, 1969 c 115 s 2, 1961 c 197 s 3, & 1947 c 268 s 3;

36 (13) RCW 48.44.033 (Financial failure--Supervision of
37 commissioner--Priority of distribution of assets) and 1990 c 120 s 2;

1 (14) RCW 48.44.035 (Limited health care service--Uncovered
2 expenditures--Minimum net worth requirements) and 1997 c 212 s 1 & 1990
3 c 120 s 3;
4 (15) RCW 48.44.037 (Minimum net worth--Requirement to maintain--
5 Determination of amount) and 1997 c 212 s 2 & 1990 c 120 s 4;
6 (16) RCW 48.44.039 (Minimum net worth--Domestic or foreign health
7 care service contractor) and 1997 c 212 s 3;
8 (17) RCW 48.44.040 (Registration with commissioner--Fee) and 1947
9 c 268 s 4;
10 (18) RCW 48.44.050 (Rules and regulations) and 1947 c 268 s 5;
11 (19) RCW 48.44.055 (Plan for handling insolvency--Commissioner's
12 review) and 1990 c 120 s 11;
13 (20) RCW 48.44.057 (Insolvency--Commissioner's duties--
14 Participants' options--Allocation of coverage) and 1990 c 120 s 8;
15 (21) RCW 48.44.060 (Penalty) and 2003 c 250 s 9 & 1947 c 268 s 6;
16 (22) RCW 48.44.070 (Contracts to be filed with commissioner) and
17 1990 c 120 s 9, 1965 c 87 s 2, & 1961 c 197 s 4;
18 (23) RCW 48.44.080 (Master lists of contractor's participating
19 providers--Filing with commissioner--Notice of termination or
20 participation) and 1990 c 120 s 10, 1986 c 223 s 4, 1965 c 87 s 3, &
21 1961 c 197 s 5;
22 (24) RCW 48.44.090 (Refusal to register corporate, etc., contractor
23 if name confusing with existing contractor or insurance company) and
24 1961 c 197 s 6;
25 (25) RCW 48.44.095 (Annual financial statement--Filings--Contents--
26 Fee--Penalty for failure to file) and 1997 c 212 s 4, 1993 c 492 s 295,
27 1983 c 202 s 3, & 1969 c 115 s 5;
28 (26) RCW 48.44.100 (Filing inaccurate financial statement
29 prohibited) and 1961 c 197 s 7;
30 (27) RCW 48.44.110 (False representation, advertising) and 1961 c
31 197 s 8;
32 (28) RCW 48.44.120 (Misrepresentations of contract terms, benefits,
33 etc.) and 1961 c 197 s 9;
34 (29) RCW 48.44.130 (Future dividends or refunds--When permissible)
35 and 1961 c 197 s 10;
36 (30) RCW 48.44.140 (Misleading comparisons to terminate or retain
37 contract) and 1961 c 197 s 11;

1 (31) RCW 48.44.145 (Examination of contractors--Duties of
2 contractor, powers of commissioner--Independent audit reports) and 1986
3 c 296 s 8, 1983 c 63 s 1, & 1969 c 115 s 12;
4 (32) RCW 48.44.150 (Certificate of registration not an
5 endorsement--Display in solicitation prohibited) and 1961 c 197 s 12;
6 (33) RCW 48.44.160 (Revocation, suspension, refusal of
7 registration--Hearing--Cease and desist orders, injunctive action--
8 Grounds) and 1988 c 248 s 19, 1973 1st ex.s. c 65 s 2, 1969 c 115 s 3,
9 & 1961 c 197 s 13;
10 (34) RCW 48.44.164 (Notice of suspension, revocation, or refusal to
11 be given contractor--Authority of agents) and 1969 c 115 s 10;
12 (35) RCW 48.44.166 (Fine in addition to or in lieu of suspension,
13 revocation, or refusal) and 1983 c 202 s 4 & 1969 c 115 s 11;
14 (36) RCW 48.44.170 (Hearings and appeals) and 1961 c 197 s 14;
15 (37) RCW 48.44.180 (Enforcement) and 1961 c 197 s 15;
16 (38) RCW 48.44.200 (Individual health care service plan contracts--
17 Coverage of dependent child not to terminate because of developmental
18 disability or physical handicap) and 1977 ex.s. c 80 s 33 & 1969 ex.s.
19 c 128 s 1;
20 (39) RCW 48.44.210 (Group health care service plan contracts--
21 Coverage of dependent child not to terminate because of developmental
22 disability or physical handicap) and 1977 ex.s. c 80 s 34 & 1969 ex.s.
23 c 128 s 2;
24 (40) RCW 48.44.212 (Coverage of dependent children to include
25 newborn infants and congenital anomalies from moment of birth--
26 Notification period) and 1984 c 4 s 1, 1983 c 202 s 5, & 1974 ex.s. c
27 139 s 3;
28 (41) RCW 48.44.220 (Discrimination prohibited) and 1983 c 154 s 4,
29 1979 c 127 s 1, & 1969 c 115 s 4;
30 (42) RCW 48.44.225 (Podiatrists not excluded) and 1983 c 154 s 5;
31 (43) RCW 48.44.230 (Individual health service plan contract--Return
32 within ten days of delivery--Refunds--Void from beginning--Notice
33 required) and 1983 1st ex.s. c 32 s 11 & 1973 1st ex.s. c 65 s 4;
34 (44) RCW 48.44.240 (Chemical dependency benefits--Provisions of
35 group contracts delivered or renewed after January 1, 1988) and 2005 c
36 223 s 25, 1990 1st ex.s. c 3 s 12, 1987 c 458 s 16, 1975 1st ex.s. c
37 266 s 14, & 1974 ex.s. c 119 s 4;

1 (45) RCW 48.44.245 ("Chemical dependency" defined) and 1987 c 458
2 s 17;

3 (46) RCW 48.44.250 (Payment of premium by employee in event of
4 suspension of compensation due to labor dispute) and 1982 c 149 s 1 &
5 1975 1st ex.s. c 117 s 3;

6 (47) RCW 48.44.260 (Notice of reason for cancellation, denial, or
7 refusal to renew contract) and 1993 c 492 s 290 & 1979 c 133 s 3;

8 (48) RCW 48.44.270 (Immunity from libel or slander) and 1979 c 133
9 s 4;

10 (49) RCW 48.44.290 (Registered nurses or advanced registered
11 nurses) and 1994 sp.s. c 9 s 733, 1986 c 223 s 6, & 1981 c 175 s 1;

12 (50) RCW 48.44.299 (Legislative finding) and 1983 c 154 s 1;

13 (51) RCW 48.44.300 (Podiatry--Benefits not to be denied) and 1986
14 c 223 s 7 & 1983 c 154 s 2;

15 (52) RCW 48.44.305 (When injury caused by intoxication or use of
16 narcotics) and 2004 c 112 s 4;

17 (53) RCW 48.44.309 (Legislative finding) and 1983 c 286 s 1;

18 (54) RCW 48.44.310 (Chiropractic care, coverage required,
19 exceptions) and 1986 c 223 s 8 & 1983 c 286 s 2;

20 (55) RCW 48.44.315 (Diabetes coverage--Definitions) and 2004 c 244
21 s 12 & 1997 c 276 s 4;

22 (56) RCW 48.44.320 (Home health care, hospice care, optional
23 coverage required--Standards, limitations, restrictions--Rules--
24 Medicare supplemental contracts excluded) and 1989 1st ex.s. c 9 s 222,
25 1988 c 245 s 33, 1984 c 22 s 3, & 1983 c 249 s 3;

26 (57) RCW 48.44.325 (Mammograms--Insurance coverage) and 1994 sp.s.
27 c 9 s 734 & 1989 c 338 s 3;

28 (58) RCW 48.44.330 (Reconstructive breast surgery) and 1985 c 54 s
29 7 & 1983 c 113 s 3;

30 (59) RCW 48.44.335 (Mastectomy, lumpectomy) and 1985 c 54 s 3;

31 (60) RCW 48.44.340 (Mental health treatment, optional supplemental
32 coverage--Waiver) and 2005 c 6 s 8, 1987 c 283 s 4, 1986 c 184 s 3, &
33 1983 c 35 s 2;

34 (61) RCW 48.44.341 (Mental health services--Definition--Coverage
35 required, when) and 2005 c 6 s 4;

36 (62) RCW 48.44.342 (Mental health treatment--Waiver of
37 preauthorization for persons involuntarily committed) and 1993 c 272 s
38 4;

1 (63) RCW 48.44.344 (Benefits for prenatal diagnosis of congenital
2 disorders--Contracts entered into or renewed on or after January 1,
3 1990) and 1988 c 276 s 7;

4 (64) RCW 48.44.350 (Financial interests of health care service
5 contractors, restricted--Exceptions, regulations) and 1986 c 223 s 9 &
6 1983 c 202 s 6;

7 (65) RCW 48.44.360 (Continuation option to be offered) and 1984 c
8 190 s 5;

9 (66) RCW 48.44.370 (Conversion contract to be offered--Exceptions,
10 conditions) and 1984 c 190 s 6;

11 (67) RCW 48.44.380 (Conversion contract--Restrictions and
12 requirements) and 1984 c 190 s 7;

13 (68) RCW 48.44.390 (Modification of basis of agreement, endorsement
14 required) and 1986 c 223 s 10;

15 (69) RCW 48.44.400 (Continuance provisions for former family
16 members) and 1986 c 223 s 11;

17 (70) RCW 48.44.420 (Coverage for adopted children) and 1986 c 140
18 s 4;

19 (71) RCW 48.44.430 (Cancellation of rider) and 1987 c 37 s 3;

20 (72) RCW 48.44.440 (Phenylketonuria) and 1988 c 173 s 3;

21 (73) RCW 48.44.450 (Neurodevelopmental therapies--Employer-
22 sponsored group contracts) and 1989 c 345 s 1;

23 (74) RCW 48.44.460 (Temporomandibular joint disorders--Insurance
24 coverage) and 1989 c 331 s 3;

25 (75) RCW 48.44.465 (Prescriptions--Preapproval of individual
26 claims--Subsequent rejection prohibited--Written record required) and
27 1993 c 253 s 4;

28 (76) RCW 48.44.470 (Nonresident pharmacies) and 2005 c 274 s 314 &
29 1991 c 87 s 9;

30 (77) RCW 48.44.500 (Denturist services) and 1995 c 1 s 24;

31 (78) RCW 48.44.530 (Disclosure of certain material transactions--
32 Report--Information is confidential) and 1995 c 86 s 13;

33 (79) RCW 48.44.535 (Material acquisitions or dispositions) and 1995
34 c 86 s 14;

35 (80) RCW 48.44.540 (Asset acquisitions--Asset dispositions) and
36 1995 c 86 s 15;

37 (81) RCW 48.44.545 (Report of a material acquisition or disposition
38 of assets--Information required) and 1995 c 86 s 16;

1 (82) RCW 48.44.550 (Material nonrenewals, cancellations, or
2 revisions of ceded reinsurance agreements) and 1995 c 86 s 17; and
3 (83) RCW 48.44.555 (Report of a material nonrenewal, cancellation,
4 or revision of ceded reinsurance agreements--Information required) and
5 1995 c 86 s 18.

6 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.131 RCW
7 to read as follows:

8 The provisions of chapter 48.46 RCW, health maintenance
9 organizations, shall be terminated July 1, 2008, as provided in section
10 8 of this act.

11 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.131 RCW
12 to read as follows:

13 The following acts or parts of acts, as now existing or hereafter
14 amended, are each repealed, effective July 1, 2009:

15 (1) RCW 48.46.010 (Legislative declaration--Purpose) and 1975 1st
16 ex.s. c 290 s 2;

17 (2) RCW 48.46.012 (Filings with secretary of state--Copy for
18 commissioner) and 1998 c 23 s 17;

19 (3) RCW 48.46.020 (Definitions) and 1990 c 119 s 1, 1983 c 106 s 1,
20 1982 c 151 s 1, & 1975 1st ex.s. c 290 s 3;

21 (4) RCW 48.46.023 (Agent--Definition--License required--
22 Application, issuance, renewal, fees--Penalties involving license) and
23 1983 c 202 s 8;

24 (5) RCW 48.46.027 (Registration, required--Issuance of securities--
25 Penalty) and 2003 c 250 s 10 & 1983 c 202 s 9;

26 (6) RCW 48.46.030 (Eligibility requirements for certificate of
27 registration--Application requirements, information) and 1990 c 119 s
28 2, 1985 c 320 s 1, 1983 c 106 s 2, & 1975 1st ex.s. c 290 s 4;

29 (7) RCW 48.46.033 (Unregistered activities--Acts committed in this
30 state--Sanctions) and 2003 c 250 s 11;

31 (8) RCW 48.46.040 (Certificate of registration--Issuance--Grounds
32 for refusal--Name restrictions--Inspection and review of facilities)
33 and 1990 c 119 s 3, 1989 1st ex.s. c 9 s 223, 1983 c 106 s 3, & 1975
34 1st ex.s. c 290 s 5;

35 (9) RCW 48.46.045 (Catastrophic health plans permitted) and 2000 c
36 79 s 27;

1 (10) RCW 48.46.060 (Prepayment agreements--Standards for forms and
2 documents--Grounds for disapproval--Cancellation or failure to renew--
3 Filing of agreement forms) and 2000 c 79 s 31 & 1989 c 10 s 10;
4 (11) RCW 48.46.062 (Schedule of rates for individual agreements--
5 Loss ratio--Remittance of premiums--Definitions) and 2001 c 196 s 12 &
6 2000 c 79 s 32;
7 (12) RCW 48.46.064 (Calculation of premiums--Adjusted community
8 rate--Definitions) and 2004 c 244 s 8, 2000 c 79 s 33, 1997 c 231 s
9 209, & 1995 c 265 s 17;
10 (13) RCW 48.46.066 (Health plan benefits for small employers--
11 Coverage--Exemption from statutory requirements--Premium rates--
12 Requirements for providing coverage for small employers) and 2004 c 244
13 s 9, 1995 c 265 s 18, & 1990 c 187 s 4;
14 (14) RCW 48.46.068 (Requirements for plans offered to small
15 employers--Definitions) and 2003 c 248 s 16 & 1995 c 265 s 24;
16 (15) RCW 48.46.070 (Governing body) and 1985 c 320 s 3, 1983 c 106
17 s 5, & 1975 1st ex.s. c 290 s 8;
18 (16) RCW 48.46.080 (Annual statement--Filings--Contents--Fee--
19 Penalty for failure to file--Accuracy required) and 1997 c 212 s 5 &
20 1993 c 492 s 296;
21 (17) RCW 48.46.090 (Standard of services provided) and 1975 1st
22 ex.s. c 290 s 10;
23 (18) RCW 48.46.100 (Grievance procedure) and 1975 1st ex.s. c 290
24 s 11;
25 (19) RCW 48.46.110 (Name restrictions--Discrimination--Recovery of
26 costs of health care services participant not entitled to) and 1983 c
27 202 s 11 & 1975 1st ex.s. c 290 s 12;
28 (20) RCW 48.46.120 (Examination of health maintenance
29 organizations--Duties of organizations, powers of commissioner--
30 Independent audit reports--Assessment of organizations for costs,
31 conditions) and 1987 c 83 s 1, 1986 c 296 s 9, 1985 c 7 s 115, 1983 c
32 63 s 2, & 1975 1st ex.s. c 290 s 13;
33 (21) RCW 48.46.130 (Investigation of violations--Hearing--
34 Findings--Penalties--Order requiring compliance, etc.--Suspension or
35 revocation of certificate, effect--Application to courts) and 1975 1st
36 ex.s. c 290 s 14;
37 (22) RCW 48.46.135 (Fine in addition to or in lieu of suspension,
38 revocation, or refusal) and 1983 c 202 s 15;

1 (23) RCW 48.46.140 (Fees) and 1975 1st ex.s. c 290 s 15;
2 (24) RCW 48.46.170 (Effect of chapter as to other laws--
3 Construction) and 2003 c 248 s 17, 1996 c 178 s 13, 1983 c 106 s 7, &
4 1975 1st ex.s. c 290 s 18;
5 (25) RCW 48.46.180 (Duty of employer to inform and make available
6 to employees option of enrolling in health maintenance organization)
7 and 1975 1st ex.s. c 290 s 19;
8 (26) RCW 48.46.200 (Rules and regulations) and 1975 1st ex.s. c 290
9 s 21;
10 (27) RCW 48.46.210 (Compliance with federal funding requirements--
11 Construction) and 1975 1st ex.s. c 290 s 22;
12 (28) RCW 48.46.220 (Review of administrative action) and 1975 1st
13 ex.s. c 290 s 23;
14 (29) RCW 48.46.225 (Financial failure--Supervision of
15 commissioner--Priority of distribution of assets) and 2003 c 248 s 18
16 & 1990 c 119 s 4;
17 (30) RCW 48.46.235 (Minimum net worth--Requirement to maintain--
18 Determination of amount) and 1997 c 212 s 6 & 1990 c 119 s 5;
19 (31) RCW 48.46.237 (Minimum net worth--Domestic or foreign health
20 maintenance organization) and 1997 c 212 s 7;
21 (32) RCW 48.46.240 (Funded reserve requirements) and 1990 c 119 s
22 6, 1985 c 320 s 4, & 1982 c 151 s 3;
23 (33) RCW 48.46.243 (Contract--Participant liability--Commissioner's
24 review) and 1990 c 119 s 7;
25 (34) RCW 48.46.245 (Plan for handling insolvency--Commissioner's
26 review) and 1990 c 119 s 8;
27 (35) RCW 48.46.247 (Insolvency--Commissioner's duties--
28 Participants' options--Allocation of coverage) and 1990 c 119 s 9;
29 (36) RCW 48.46.250 (Coverage of dependent children--Newborn
30 infants, congenital anomalies--Notification period) and 1984 c 4 s 2 &
31 1983 c 202 s 12;
32 (37) RCW 48.46.260 (Individual health maintenance agreement--Return
33 within ten days of delivery--Refunds--Void from beginning) and 1983 c
34 202 s 13;
35 (38) RCW 48.46.270 (Financial interests of health maintenance
36 organization authorities, restricted--Exceptions, regulations) and 1985
37 c 320 s 5 & 1983 c 202 s 14;

1 (39) RCW 48.46.272 (Diabetes coverage--Definitions) and 2004 c 244
2 s 14 & 1997 c 276 s 5;
3 (40) RCW 48.46.275 (Mammograms--Insurance coverage) and 1994 sp.s.
4 c 9 s 735 & 1989 c 338 s 4;
5 (41) RCW 48.46.280 (Reconstructive breast surgery) and 1985 c 54 s
6 8 & 1983 c 113 s 4;
7 (42) RCW 48.46.285 (Mastectomy, lumpectomy) and 1985 c 54 s 4;
8 (43) RCW 48.46.290 (Mental health treatment, optional supplemental
9 coverage--Waiver) and 2005 c 6 s 9, 1987 c 283 s 5, 1986 c 184 s 4, &
10 1983 c 35 s 3;
11 (44) RCW 48.46.291 (Mental health services--Definition--Coverage
12 required, when) and 2005 c 6 s 5;
13 (45) RCW 48.46.292 (Mental health treatment--Waiver of
14 preauthorization for persons involuntarily committed) and 1993 c 272 s
15 5;
16 (46) RCW 48.46.300 (Future dividends or refunds, restricted--
17 Issuance or sale of securities regulated) and 1983 c 106 s 8;
18 (47) RCW 48.46.310 (Registration not endorsement) and 1983 c 106 s
19 9;
20 (48) RCW 48.46.320 (Dependent children, termination of coverage,
21 conditions) and 1985 c 320 s 6 & 1983 c 106 s 10;
22 (49) RCW 48.46.340 (Return of agreement within ten days) and 1983
23 c 106 s 12;
24 (50) RCW 48.46.350 (Chemical dependency treatment) and 2003 c 248
25 s 19, 1990 1st ex.s. c 3 s 14, 1987 c 458 s 18, & 1983 c 106 s 13;
26 (51) RCW 48.46.355 ("Chemical dependency" defined) and 1987 c 458
27 s 19;
28 (52) RCW 48.46.360 (Payment of cost of agreement directly to holder
29 during labor dispute--Changes restricted--Notice to employee) and 1985
30 c 7 s 116 & 1983 c 106 s 14;
31 (53) RCW 48.46.370 (Coverage not denied for handicap) and 1983 c
32 106 s 15;
33 (54) RCW 48.46.375 (Benefits for prenatal diagnosis of congenital
34 disorders--Agreements entered into or renewed on or after January 1,
35 1990) and 1988 c 276 s 8;
36 (55) RCW 48.46.380 (Notice of reason for cancellation, denial, or
37 refusal to renew agreement) and 1993 c 492 s 291 & 1983 c 106 s 16;

1 (56) RCW 48.46.390 (Providing information on cancellation or
2 refusal--No liability for insurance commissioner or health maintenance
3 organization) and 1983 c 106 s 17;
4 (57) RCW 48.46.400 (False or misleading advertising prohibited) and
5 1983 c 106 s 18;
6 (58) RCW 48.46.410 (Misrepresentations to induce termination or
7 retention of agreement prohibited) and 1983 c 106 s 19;
8 (59) RCW 48.46.420 (Penalty for violations) and 2003 c 250 s 12,
9 1990 c 119 s 10, & 1983 c 106 s 20;
10 (60) RCW 48.46.430 (Enforcement authority of commissioner) and 1983
11 c 106 s 21;
12 (61) RCW 48.46.440 (Continuation option to be offered) and 1984 c
13 190 s 8;
14 (62) RCW 48.46.450 (Conversion agreement to be offered--Exceptions,
15 conditions) and 1984 c 190 s 9;
16 (63) RCW 48.46.460 (Conversion agreement--Restrictions and
17 requirements) and 1984 c 190 s 10;
18 (64) RCW 48.46.470 (Endorsement of modifications) and 1985 c 320 s
19 7;
20 (65) RCW 48.46.480 (Continuation of coverage of former family
21 members) and 1985 c 320 s 8;
22 (66) RCW 48.46.490 (Coverage for adopted children) and 1986 c 140
23 s 5;
24 (67) RCW 48.46.500 (Cancellation of rider) and 1987 c 37 s 4;
25 (68) RCW 48.46.510 (Phenylketonuria) and 1988 c 173 s 4;
26 (69) RCW 48.46.520 (Neurodevelopmental therapies--Employer-
27 sponsored group contracts) and 1989 c 345 s 3;
28 (70) RCW 48.46.530 (Temporomandibular joint disorders--Insurance
29 coverage) and 1989 c 331 s 4;
30 (71) RCW 48.46.535 (Prescriptions--Preapproval of individual
31 claims--Subsequent rejection prohibited--Written record required) and
32 1993 c 253 s 5;
33 (72) RCW 48.46.540 (Nonresident pharmacies) and 2005 c 274 s 315 &
34 1991 c 87 s 10;
35 (73) RCW 48.46.565 (Foot care services) and 1999 c 64 s 1;
36 (74) RCW 48.46.570 (Denturist services) and 1995 c 1 s 25;
37 (75) RCW 48.46.575 (Doctor of osteopathic medicine and surgery--

1 Discrimination based on board certification is prohibited) and 1995 c
2 64 s 1;
3 (76) RCW 48.46.580 (When injury caused by intoxication or use of
4 narcotics) and 2004 c 112 s 5;
5 (77) RCW 48.46.600 (Disclosure of certain material transactions--
6 Report--Information is confidential) and 1995 c 86 s 19;
7 (78) RCW 48.46.605 (Material acquisitions or dispositions) and 1995
8 c 86 s 20;
9 (79) RCW 48.46.610 (Asset acquisitions--Asset dispositions) and
10 1995 c 86 s 21;
11 (80) RCW 48.46.615 (Report of a material acquisition or disposition
12 of assets--Information required) and 1995 c 86 s 22;
13 (81) RCW 48.46.620 (Material nonrenewals, cancellations, or
14 revisions of ceded reinsurance agreements) and 1995 c 86 s 23;
15 (82) RCW 48.46.625 (Report of a material nonrenewal, cancellation,
16 or revision of ceded reinsurance agreements--Information required) and
17 1995 c 86 s 24;
18 (83) RCW 48.46.900 (Liberal construction) and 1975 1st ex.s. c 290
19 s 24;
20 (84) RCW 48.46.910 (Severability--1975 1st ex.s. c 290) and 1975
21 1st ex.s. c 290 s 26; and
22 (85) RCW 48.46.920 (Short title) and 1975 1st ex.s. c 290 s 27.

23 NEW SECTION. **Sec. 9.** This act takes effect July 1, 2006.

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