

ESSB 5261 - H AMD TO HCW COMM AMD (H-5489.2/08) **1068**
By Representative Kessler

NOT ADOPTED 02/29/2008

1 On page 6, line 25 of the amendment, after "(3)" insert "Any
2 disapproval of a rate filing shall, upon written demand of the carrier,
3 be submitted to hearing under chapters 48.04 and 34.05 RCW before an
4 administrative law judge assigned under chapter 34.12 RCW. The
5 administrative law judge shall review the issue presented for hearing
6 de novo and shall issue and enter a final order. The commissioner or
7 the insurer may appeal the final order of the administrative law judge
8 directly to superior court.

9 (4)"

10 Renumber the remaining subsections consecutively and correct any
11 internal references accordingly.

12 On page 9, line 29 of the amendment, after "(3)" insert "Any
13 disapproval of a rate filing shall, upon written demand of the carrier,
14 be submitted to hearing under chapters 48.04 and 34.05 RCW before an
15 administrative law judge assigned under chapter 34.12 RCW. The
16 administrative law judge shall review the issue presented for hearing
17 de novo and shall issue and enter a final order. The commissioner or
18 the insurer may appeal the final order of the administrative law judge
19 directly to superior court.

20 (4)"

21 Renumber the remaining subsections consecutively and correct any
22 internal references accordingly.

23 On page 12, line 33 of the amendment, after "(3)" insert "Any
24 disapproval of a rate filing shall, upon written demand of the carrier,
25 be submitted to hearing under chapters 48.04 and 34.05 RCW before an
26 administrative law judge assigned under chapter 34.12 RCW. The
27 administrative law judge shall review the issue presented for hearing

1 de novo and shall issue and enter a final order. The commissioner or
2 the insurer may appeal the final order of the administrative law judge
3 directly to superior court.

4 (4)"

5 Renumber the remaining subsections consecutively and correct any
6 internal references accordingly.

EFFECT: Provides that orders of an administrative law judge related to individual rates are final and may be appealed directly to Superior Court.

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