
HOUSE BILL 2689

State of Washington 60th Legislature 2008 Regular Session

By Representatives Cody, Hasegawa, and Morrell

Read first time 01/15/08. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to association health plans; and adding a new
2 section to chapter 48.43 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43 RCW
5 to read as follows:

6 (1) The commissioner shall require carriers to report such data as
7 the commissioner may determine are necessary for the evaluation of:

8 (a) The impact of the sale of association health plans on the
9 overall health care marketplace of this state; and

10 (b) The impact of association health plans that use claims data or
11 health factors in setting rates for small groups that are included in
12 an association plan.

13 (2) The data may include, but need not be limited to, the
14 following:

15 (a) The number of persons residing in Washington who receive health
16 benefit coverage through each association health plan underwritten or
17 administered by the carrier, and whether the association plan uses
18 claims data or health factors in setting rates for small groups
19 included in the plan;

1 (b) Demographic information regarding the persons covered in
2 association health plans and in small group plans;

3 (c) The average claims experience of persons covered by the
4 carrier's association health plans and by its small group plans;

5 (d) Eligibility requirements, underwriting criteria, and coverage
6 standards, including but not limited to association membership
7 requirements, health questions (if any) asked or used for the purpose
8 of considering eligibility or cost of coverage, and a description of
9 any other standard for eligibility or qualification for enrollment or
10 coverage;

11 (e) The methodology used by the carrier to determine the cost of
12 coverage for each association health plan; and

13 (f) Such other data as the commissioner may reasonably require.

14 (3) The commissioner may adopt rules necessary to implement this
15 section, including but not limited to the format and timing of data
16 reporting, and defining the years for which data must be provided.

17 (4)(a) Data, information, and documents provided by the carrier
18 pursuant to this section are exempt from public inspection and copying
19 under chapters 42.17 and 42.56 RCW to the extent that they contain
20 actuarial formula, statistics, and assumptions submitted in support of
21 setting rates for the association plans.

22 (b) The commissioner is authorized to use documents, materials, or
23 other information obtained pursuant to this section in the furtherance
24 of any regulatory activities, reports to the legislature, or legal
25 actions brought as a part of the commissioner's official duties.

26 (5) The commissioner shall submit a report based upon the
27 information obtained pursuant to this section to the appropriate
28 committees of the senate and house of representatives by January 1,
29 2009.

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