
HOUSE BILL 1420

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Cody and Jenkins; by request of Health Care Authority

Read first time 01/20/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to public employee benefits law; amending RCW
2 41.05.009, 41.05.011, 41.05.065, 41.05.066, and 41.05.195; reenacting
3 and amending RCW 41.05.080; and repealing RCW 41.05.095.

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

5 **Sec. 1.** RCW 41.05.009 and 2009 c 537 s 2 are each amended to read
6 as follows:

7 (1) The authority, or an employing agency at the authority's
8 direction, (~~(an employing agency)~~) shall initially determine and
9 periodically review whether an employee is eligible for benefits
10 pursuant to the criteria established under this chapter.

11 (2) An employing agency shall inform an employee in writing whether
12 or not he or she is eligible for benefits when initially determined and
13 upon any subsequent change, including notice of the employee's right to
14 an appeal.

15 **Sec. 2.** RCW 41.05.011 and 2009 c 537 s 3 are each amended to read
16 as follows:

17 The definitions in this section apply throughout this chapter
18 unless the context clearly requires otherwise.

1 (1) "Administrator" means the administrator of the authority.

2 (2) "State purchased health care" or "health care" means medical
3 and health care, pharmaceuticals, and medical equipment purchased with
4 state and federal funds by the department of social and health
5 services, the department of health, the basic health plan, the state
6 health care authority, the department of labor and industries, the
7 department of corrections, the department of veterans affairs, and
8 local school districts.

9 (3) "Authority" means the Washington state health care authority.

10 (4) "Insuring entity" means an insurer as defined in chapter 48.01
11 RCW, a health care service contractor as defined in chapter 48.44 RCW,
12 or a health maintenance organization as defined in chapter 48.46 RCW.

13 (5) "Flexible benefit plan" means a benefit plan that allows
14 employees to choose the level of health care coverage provided and the
15 amount of employee contributions from among a range of choices offered
16 by the authority.

17 (6) "Employee" includes all employees of the state, whether or not
18 covered by civil service; elected and appointed officials of the
19 executive branch of government, including full-time members of boards,
20 commissions, or committees; justices of the supreme court and judges of
21 the court of appeals and the superior courts; and members of the state
22 legislature. Pursuant to contractual agreement with the authority,
23 "employee" may also include: (a) Employees of a county, municipality,
24 or other political subdivision of the state and members of the
25 legislative authority of any county, city, or town who are elected to
26 office after February 20, 1970, if the legislative authority of the
27 county, municipality, or other political subdivision of the state seeks
28 and receives the approval of the authority to provide any of its
29 insurance programs by contract with the authority, as provided in RCW
30 41.04.205 and 41.05.021(1)(g); (b) employees of employee organizations
31 representing state civil service employees, at the option of each such
32 employee organization, and, effective October 1, 1995, employees of
33 employee organizations currently pooled with employees of school
34 districts for the purpose of purchasing insurance benefits, at the
35 option of each such employee organization; (c) employees of a school
36 district if the authority agrees to provide any of the school
37 districts' insurance programs by contract with the authority as
38 provided in RCW 28A.400.350; and (d) employees of a tribal government,

1 if the governing body of the tribal government seeks and receives the
2 approval of the authority to provide any of its insurance programs by
3 contract with the authority, as provided in RCW 41.05.021(1) (f) and
4 (g). "Employee" does not include: Adult family (~~homeowners~~) home
5 providers; unpaid volunteers; patients of state hospitals; inmates;
6 employees of the Washington state convention and trade center as
7 provided in RCW 41.05.110; students of institutions of higher education
8 as determined by their institution; and any others not expressly
9 defined as employees under this chapter or by the authority under this
10 chapter.

11 (7) "Seasonal employee" means an employee hired to work during a
12 recurring, annual season with a duration of three months or more, and
13 anticipated to return each season to perform similar work.

14 (8) "Faculty" means an academic employee of an institution of
15 higher education whose workload is not defined by work hours but whose
16 appointment, workload, and duties directly serve the institution's
17 academic mission, as determined under the authority of its enabling
18 statutes, its governing body, and any applicable collective bargaining
19 agreement.

20 (9) "Board" means the public employees' benefits board established
21 under RCW 41.05.055.

22 (10) "Retired or disabled school employee" means:

23 (a) Persons who separated from employment with a school district or
24 educational service district and are receiving a retirement allowance
25 under chapter 41.32 or 41.40 RCW as of September 30, 1993;

26 (b) Persons who separate from employment with a school district or
27 educational service district on or after October 1, 1993, and
28 immediately upon separation receive a retirement allowance under
29 chapter 41.32, 41.35, or 41.40 RCW;

30 (c) Persons who separate from employment with a school district or
31 educational service district due to a total and permanent disability,
32 and are eligible to receive a deferred retirement allowance under
33 chapter 41.32, 41.35, or 41.40 RCW.

34 (11) "Premium payment plan" means a benefit plan whereby state and
35 public employees may pay their share of group health plan premiums with
36 pretax dollars as provided in the salary reduction plan under this
37 chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the
38 internal revenue code.

1 (12) "Salary" means a state employee's monthly salary or wages.

2 (13) "Participant" means an individual who fulfills the eligibility
3 and enrollment requirements under the salary reduction plan.

4 (14) "Plan year" means the time period established by the
5 authority.

6 (15) "Separated employees" means persons who separate from
7 employment with an employer as defined in:

8 (a) RCW 41.32.010(11) on or after July 1, 1996; or
9 (b) RCW 41.35.010 on or after September 1, 2000; or
10 (c) RCW 41.40.010 on or after March 1, 2002;

11 and who are at least age fifty-five and have at least ten years of
12 service under the teachers' retirement system plan 3 as defined in RCW
13 41.32.010(40), the Washington school employees' retirement system plan
14 3 as defined in RCW 41.35.010, or the public employees' retirement
15 system plan 3 as defined in RCW 41.40.010.

16 (16) "Emergency service personnel killed in the line of duty" means
17 law enforcement officers and firefighters as defined in RCW 41.26.030,
18 members of the Washington state patrol retirement fund as defined in
19 RCW 43.43.120, and reserve officers and firefighters as defined in RCW
20 41.24.010 who die as a result of injuries sustained in the course of
21 employment as determined consistent with Title 51 RCW by the department
22 of labor and industries.

23 (17) "Employer" means the state of Washington.

24 (18) "Employing agency" means a division, department, or separate
25 agency of state government, including an institution of higher
26 education; a county, municipality, school district, educational service
27 district, or other political subdivision; and a tribal government
28 covered by this chapter.

29 (19) "Tribal government" means an Indian tribal government as
30 defined in section 3(32) of the employee retirement income security act
31 of 1974, as amended, or an agency or instrumentality of the tribal
32 government, that has government offices principally located in this
33 state.

34 (20) "Dependent care assistance program" means a benefit plan
35 whereby state and public employees may pay for certain employment
36 related dependent care with pretax dollars as provided in the salary
37 reduction plan under this chapter pursuant to 26 U.S.C. Sec. 129 or
38 other sections of the internal revenue code.

1 (21) "Salary reduction plan" means a benefit plan whereby state and
2 public employees may agree to a reduction of salary on a pretax basis
3 to participate in the dependent care assistance program, medical
4 flexible spending arrangement, or premium payment plan offered pursuant
5 to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

6 (22) "Medical flexible spending arrangement" means a benefit plan
7 whereby state and public employees may reduce their salary before taxes
8 to pay for medical expenses not reimbursed by insurance as provided in
9 the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec.
10 125 or other sections of the internal revenue code.

11 (23) "Employer group" means those employer organizations
12 representing state civil service employees, counties, municipalities,
13 political subdivisions, tribal governments, school districts, and
14 educational service districts purchasing insurance programs under
15 contractual agreement with the authority.

16 (24) "State registered domestic partners," "registered domestic
17 partners," or "domestic partners" means two adults who meet the
18 requirements for a valid state registered domestic partnership as
19 established by RCW 26.60.030 and who have been issued a certificate of
20 state registered domestic partnership by the secretary of state.

21 **Sec. 3.** RCW 41.05.065 and 2009 c 537 s 7 are each amended to read
22 as follows:

23 (1) The board shall study all matters connected with the provision
24 of health care coverage, life insurance, liability insurance,
25 accidental death and dismemberment insurance, and disability income
26 insurance or any of, or a combination of, the enumerated types of
27 insurance for employees and their dependents on the best basis possible
28 with relation both to the welfare of the employees and to the state.
29 However, liability insurance shall not be made available to dependents.

30 (2) The board shall develop employee benefit plans that include
31 comprehensive health care benefits for employees. In developing these
32 plans, the board shall consider the following elements:

33 (a) Methods of maximizing cost containment while ensuring access to
34 quality health care;

35 (b) Development of provider arrangements that encourage cost
36 containment and ensure access to quality care, including but not
37 limited to prepaid delivery systems and prospective payment methods;

1 (c) Wellness incentives that focus on proven strategies, such as
2 smoking cessation, injury and accident prevention, reduction of alcohol
3 misuse, appropriate weight reduction, exercise, automobile and
4 motorcycle safety, blood cholesterol reduction, and nutrition
5 education;

6 (d) Utilization review procedures including, but not limited to a
7 cost-efficient method for prior authorization of services, hospital
8 inpatient length of stay review, requirements for use of outpatient
9 surgeries and second opinions for surgeries, review of invoices or
10 claims submitted by service providers, and performance audit of
11 providers;

12 (e) Effective coordination of benefits; and

13 (f) Minimum standards for insuring entities.

14 (3) To maintain the comprehensive nature of employee health care
15 benefits, benefits provided to employees shall be substantially
16 equivalent to the state employees' health benefits plan in effect on
17 January 1, 1993. Nothing in this subsection shall prohibit changes or
18 increases in employee point-of-service payments or employee premium
19 payments for benefits or the administration of a high deductible health
20 plan in conjunction with a health savings account. The board may
21 establish employee eligibility criteria which are not substantially
22 equivalent to employee eligibility criteria in effect on January 1,
23 1993.

24 (4) Except if bargained for under chapter 41.80 RCW, the board
25 shall design benefits and determine the terms and conditions of
26 employee and retired employee participation and coverage, including
27 establishment of eligibility criteria subject to the requirements of
28 this chapter. Employer groups obtaining benefits through contractual
29 agreement with the authority for employees defined in RCW 41.05.011(6)
30 (a) through (d) may contractually agree with the authority to benefits
31 eligibility criteria which differs from that determined by the board.
32 The eligibility criteria established by the board shall be no more
33 restrictive than the following:

34 (a) Except as provided in (b) through (e) of this subsection, an
35 employee is eligible for benefits from the date of employment if the
36 employing agency anticipates he or she will work an average of at least
37 eighty hours per month and for at least eight hours in each month for

1 more than six consecutive months. An employee determined ineligible
2 for benefits at the beginning of his or her employment shall become
3 eligible in the following circumstances:

4 (i) An employee who works an average of at least eighty hours per
5 month and for at least eight hours in each month and whose anticipated
6 duration of employment is revised from less than or equal to six
7 consecutive months to more than six consecutive months becomes eligible
8 when the revision is made.

9 (ii) An employee who works an average of at least eighty hours per
10 month over a period of six consecutive months and for at least eight
11 hours in each of those six consecutive months becomes eligible at the
12 first of the month following the six-month averaging period.

13 (b) A seasonal employee is eligible for benefits from the date of
14 employment if the employing agency anticipates that he or she will work
15 an average of at least eighty hours per month and for at least eight
16 hours in each month of the season. A seasonal employee determined
17 ineligible at the beginning of his or her employment who works an
18 average of at least (~~half-time, as defined by the board,~~) eighty
19 hours per month over a period of six consecutive months and at least
20 eight hours in each of those six consecutive months becomes eligible at
21 the first of the month following the six-month averaging period. A
22 benefits-eligible seasonal employee who works a season of less than
23 nine months shall not be eligible for the employer contribution during
24 the off season, but may continue enrollment in benefits during the off
25 season by self-paying for the benefits. A benefits-eligible seasonal
26 employee who works a season of nine months or more is eligible for the
27 employer contribution through the off season following each season
28 worked.

29 (c) Faculty are eligible as follows:

30 (i) Faculty who the employing agency anticipates will work
31 half-time or more for the entire instructional year or equivalent nine-
32 month period are eligible for benefits from the date of employment.
33 Eligibility shall continue until the beginning of the first full month
34 of the next instructional year, unless the employment relationship is
35 terminated, in which case eligibility shall cease the first month
36 following the notice of termination or the effective date of the
37 termination, whichever is later.

1 (ii) Faculty who the employing agency anticipates will not work for
2 the entire instructional year or equivalent nine-month period are
3 eligible for benefits at the beginning of the second consecutive
4 quarter or semester of employment in which he or she is anticipated to
5 work, or has actually worked, half-time or more. Such an employee
6 shall continue to receive uninterrupted employer contributions for
7 benefits if the employee works at least half-time in a quarter or
8 semester. Faculty who the employing agency anticipates will not work
9 for the entire instructional year or equivalent nine-month period, but
10 who actually work half-time or more throughout the entire instructional
11 year, are eligible for summer or off-quarter or off-semester coverage.
12 Faculty who have met the criteria of this subsection (4)(c)(ii), who
13 work at least two quarters or two semesters of the academic year with
14 an average academic year workload of half-time or more for three
15 quarters or two semesters of the academic year, and who have worked an
16 average of half-time or more in each of the two preceding academic
17 years shall continue to receive uninterrupted employer contributions
18 for benefits if he or she works at least half-time in a quarter or
19 semester or works two quarters or two semesters of the academic year
20 with an average academic workload each academic year of half-time or
21 more for three quarters or two semesters. Eligibility under this
22 section ceases immediately if this criteria is not met.

23 (iii) Faculty may establish or maintain eligibility for benefits by
24 working for more than one institution of higher education. When
25 faculty work for more than one institution of higher education, those
26 institutions shall prorate the employer contribution costs, or if
27 eligibility is reached through one institution, that institution will
28 pay the full employer contribution. Faculty working for more than one
29 institution must alert his or her employers to his or her potential
30 eligibility in order to establish eligibility.

31 (iv) The employing agency must provide written notice to faculty
32 who are potentially eligible for benefits under this subsection (4)(c)
33 of their potential eligibility.

34 (v) To be eligible for maintenance of benefits through averaging
35 under (c)(ii) of this subsection, faculty must provide written
36 notification to his or her employing agency or agencies of his or her
37 potential eligibility.

38 (vi) For the purposes of this subsection (4)(c):

1 (A) "Academic year" means summer, fall, winter, and spring quarters
2 or summer, fall, and spring semesters;

3 (B) "Half-time" means one-half of the full-time academic workload
4 as determined by each institution, except that half-time for community
5 and technical college faculty employees is governed by RCW 28B.50.489.

6 (d) A legislator is eligible for benefits on the date his or her
7 term begins. All other elected and full-time appointed officials of
8 the legislative and executive branches of state government are eligible
9 for benefits on the date his or her term begins or they take the oath
10 of office, whichever occurs first.

11 (e) A justice of the supreme court and judges of the court of
12 appeals and the superior courts become eligible for benefits on the
13 date he or she takes the oath of office.

14 (f) Except as provided in (c)(i) and (ii) of this subsection,
15 eligibility ceases for any employee the first of the month following
16 termination of the employment relationship.

17 (g) In determining eligibility under this section, the employing
18 agency may disregard training hours, standby hours, or temporary
19 changes in work hours as determined by the authority under this
20 section.

21 (h) Insurance coverage for all eligible employees begins on the
22 first day of the month following the date when eligibility for benefits
23 is established. If the date eligibility is established is the first
24 working day of a month, insurance coverage begins on that date.

25 (i) Eligibility for an employee whose work circumstances are
26 described by more than one of the eligibility categories in (a) through
27 (e) of this subsection shall be determined solely by the criteria of
28 the category that most closely describes the employee's work
29 circumstances.

30 (j) Except for an employee eligible for benefits under (b) or
31 (c)(ii) of this subsection, an employee who has established eligibility
32 for benefits under this section shall remain eligible for benefits each
33 month in which he or she is in pay status for eight or more hours, if
34 (i) he or she remains in a benefits-eligible position and (ii) leave
35 from the benefits-eligible position is approved by the employing
36 agency. A benefits-eligible seasonal employee is eligible for the
37 employer contribution in any month of his or her season in which he or
38 she is in pay status eight or more hours during that month.

1 Eligibility ends if these conditions are not met, the employment
2 relationship is terminated, or the employee voluntarily transfers to a
3 noneligible position.

4 (k) For the purposes of this subsection(~~(+~~

5 ~~(i) "Academic year" means summer, fall, winter, and spring quarters
6 or semesters;~~

7 ~~(ii) "Half-time" means one half of the full-time academic workload
8 as determined by each institution, except that half-time for community
9 and technical college faculty employees shall have the same meaning as
10 "part-time" under RCW 28B.50.489;~~

11 ~~(iii)) the board defines "benefits-eligible position." (~~shall be
12 defined by the board.~~)~~

13 (5) The board may authorize premium contributions for an employee
14 and the employee's dependents in a manner that encourages the use of
15 cost-efficient managed health care systems.

16 (6) The board shall develop a health savings account option for
17 employees that conform to section 223, Part VII of subchapter B of
18 chapter 1 of the internal revenue code of 1986. The board shall comply
19 with all applicable federal standards related to the establishment of
20 health savings accounts.

21 (7) Notwithstanding any other provision of this chapter, the board
22 shall develop a high deductible health plan to be offered in
23 conjunction with a health savings account developed under subsection
24 (6) of this section.

25 (8) Employees shall choose participation in one of the health care
26 benefit plans developed by the board and may be permitted to waive
27 coverage under terms and conditions established by the board.

28 (9) The board shall review plans proposed by insuring entities that
29 desire to offer property insurance and/or accident and casualty
30 insurance to state employees through payroll deduction. The board may
31 approve any such plan for payroll deduction by insuring entities
32 holding a valid certificate of authority in the state of Washington and
33 which the board determines to be in the best interests of employees and
34 the state. The board shall adopt rules setting forth criteria by which
35 it shall evaluate the plans.

36 (10) Before January 1, 1998, the public employees' benefits board
37 shall make available one or more fully insured long-term care insurance
38 plans that comply with the requirements of chapter 48.84 RCW. Such

1 programs shall be made available to eligible employees, retired
2 employees, and retired school employees as well as eligible dependents
3 which, for the purpose of this section, includes the parents of the
4 employee or retiree and the parents of the spouse of the employee or
5 retiree. Employees of local governments, political subdivisions, and
6 tribal governments not otherwise enrolled in the public employees'
7 benefits board sponsored medical programs may enroll under terms and
8 conditions established by the administrator, if it does not jeopardize
9 the financial viability of the public employees' benefits board's long-
10 term care offering.

11 (a) Participation of eligible employees or retired employees and
12 retired school employees in any long-term care insurance plan made
13 available by the public employees' benefits board is voluntary and
14 shall not be subject to binding arbitration under chapter 41.56 RCW.
15 Participation is subject to reasonable underwriting guidelines and
16 eligibility rules established by the public employees' benefits board
17 and the health care authority.

18 (b) The employee, retired employee, and retired school employee are
19 solely responsible for the payment of the premium rates developed by
20 the health care authority. The health care authority is authorized to
21 charge a reasonable administrative fee in addition to the premium
22 charged by the long-term care insurer, which shall include the health
23 care authority's cost of administration, marketing, and consumer
24 education materials prepared by the health care authority and the
25 office of the insurance commissioner.

26 (c) To the extent administratively possible, the state shall
27 establish an automatic payroll or pension deduction system for the
28 payment of the long-term care insurance premiums.

29 (d) The public employees' benefits board and the health care
30 authority shall establish a technical advisory committee to provide
31 advice in the development of the benefit design and establishment of
32 underwriting guidelines and eligibility rules. The committee shall
33 also advise the board and authority on effective and cost-effective
34 ways to market and distribute the long-term care product. The
35 technical advisory committee shall be comprised, at a minimum, of
36 representatives of the office of the insurance commissioner, providers
37 of long-term care services, licensed insurance agents with expertise in

1 long-term care insurance, employees, retired employees, retired school
2 employees, and other interested parties determined to be appropriate by
3 the board.

4 (e) The health care authority shall offer employees, retired
5 employees, and retired school employees the option of purchasing long-
6 term care insurance through licensed agents or brokers appointed by the
7 long-term care insurer. The authority, in consultation with the public
8 employees' benefits board, shall establish marketing procedures and may
9 consider all premium components as a part of the contract negotiations
10 with the long-term care insurer.

11 (f) In developing the long-term care insurance benefit designs, the
12 public employees' benefits board shall include an alternative plan of
13 care benefit, including adult day services, as approved by the office
14 of the insurance commissioner.

15 (g) The health care authority, with the cooperation of the office
16 of the insurance commissioner, shall develop a consumer education
17 program for the eligible employees, retired employees, and retired
18 school employees designed to provide education on the potential need
19 for long-term care, methods of financing long-term care, and the
20 availability of long-term care insurance products including the
21 products offered by the board.

22 (11) The board may establish penalties to be imposed by the
23 authority when the eligibility determinations of an employing agency
24 fail to comply with the criteria under this chapter.

25 **Sec. 4.** RCW 41.05.066 and 2007 c 156 s 9 are each amended to read
26 as follows:

27 A certificate of domestic partnership issued (~~to a couple of the~~
28 ~~same sex~~) under the provisions of RCW 26.60.030 shall be recognized as
29 evidence of a qualified (~~same sex~~) domestic partnership fulfilling
30 all necessary eligibility criteria for the partner of the employee to
31 receive benefits. Nothing in this section affects the requirements of
32 (~~same sex~~) domestic partners to complete documentation related to
33 federal tax status that may currently be required by the board for
34 employees choosing to make premium payments on a pretax basis.

35 **Sec. 5.** RCW 41.05.080 and 2009 c 523 s 1 and 2009 c 522 s 9 are
36 each reenacted and amended to read as follows:

1 (1) Under the qualifications, terms, conditions, and benefits set
2 by the board:

3 (a) Retired or disabled state employees, retired or disabled school
4 employees, retired or disabled employees of county, municipal, or other
5 political subdivisions, or retired or disabled employees of tribal
6 governments covered by this chapter may continue their participation in
7 insurance plans and contracts after retirement or disablement;

8 (b) Separated employees may continue their participation in
9 insurance plans and contracts if participation is selected immediately
10 upon separation from employment;

11 (c) Surviving spouses, state registered domestic partners, and
12 dependent children of emergency service personnel killed in the line of
13 duty may participate in insurance plans and contracts.

14 (2) Rates charged surviving spouses and state registered domestic
15 partners of emergency service personnel killed in the line of duty,
16 retired or disabled employees, separated employees, spouses, or
17 dependent children who are not eligible for parts A and B of medicare
18 shall be based on the experience of the community rated risk pool
19 established under RCW 41.05.022.

20 (3) Rates charged to surviving spouses and state registered
21 domestic partners of emergency service personnel killed in the line of
22 duty, retired or disabled employees, separated employees, spouses, or
23 children who are eligible for parts A and B of medicare shall be
24 calculated from a separate experience risk pool comprised only of
25 individuals eligible for parts A and B of medicare; however, the
26 premiums charged to medicare-eligible retirees and disabled employees
27 shall be reduced by the amount of the subsidy provided under RCW
28 41.05.085.

29 (4) Surviving spouses, state registered domestic partners, and
30 dependent children of emergency service personnel killed in the line of
31 duty and retired or disabled and separated employees shall be
32 responsible for payment of premium rates developed by the authority
33 which shall include the cost to the authority of providing insurance
34 coverage including any amounts necessary for reserves and
35 administration in accordance with this chapter. These self pay rates
36 will be established based on a separate rate for the employee, the
37 spouse, and the children.

1 (5) The term "retired state employees" for the purpose of this
2 section shall include but not be limited to members of the legislature
3 whether voluntarily or involuntarily leaving state office.

4 **Sec. 6.** RCW 41.05.195 and 2009 c 523 s 2 are each amended to read
5 as follows:

6 Notwithstanding any other provisions of this chapter or rules or
7 procedures adopted by the authority, the authority shall make available
8 to retired (~~or disabled~~) employees or employees with a disability who
9 are enrolled in parts A and B of medicare one or more medicare
10 supplemental insurance policies that conform to the requirements of
11 chapter 48.66 RCW. The policies shall be chosen in consultation with
12 the public employees' benefits board. These policies shall be made
13 available to retired (~~or disabled~~) state employees or state employees
14 with a disability; retired (~~or disabled~~) school district employees or
15 school district employees with a disability; retired employees of
16 county, municipal, or other political subdivisions or retired employees
17 of tribal governments eligible for coverage available under the
18 authority; or surviving spouses or state registered domestic partners
19 of emergency service personnel killed in the line of duty.

20 NEW SECTION. **Sec. 7.** RCW 41.05.095 (Unmarried dependents under
21 the age of twenty-five) and 2010 c 94 s 11 and 2007 c 259 s 18 are each
22 repealed.

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