

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1220

62nd Legislature
2011 Regular Session

Passed by the House April 13, 2011
Yeas 95 Nays 1

Speaker of the House of Representatives

Passed by the Senate April 7, 2011
Yeas 48 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1220** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1220

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Rolfes, Cody, Appleton, Frockt, Hinkle, Lias, Fitzgibbon, Jinkins, Hunt, Van De Wege, Moeller, and Kenney; by request of Insurance Commissioner)

READ FIRST TIME 02/16/11.

1 AN ACT Relating to regulating insurance rates; and amending RCW
2 48.02.120.

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

4 **Sec. 1.** RCW 48.02.120 and 1985 c 264 s 2 are each amended to read
5 as follows:

6 (1) The commissioner shall preserve in permanent form records of
7 his or her proceedings, hearings, investigations, and examinations, and
8 shall file such records in his or her office.

9 (2) The records of the commissioner and insurance filings in his or
10 her office shall be open to public inspection, except as otherwise
11 provided by this code.

12 (3) Except as provided in subsection (4) of this section, actuarial
13 formulas, statistics, and assumptions submitted in support of a rate or
14 form filing by an insurer, health care service contractor, or health
15 maintenance organization or submitted to the commissioner upon his or
16 her request shall be withheld from public inspection in order to
17 preserve trade secrets or prevent unfair competition.

18 (4) For individual and small group health benefit plan rate filings
19 submitted on or after July 1, 2011, subsection (3) of this section

1 applies only to the numeric values of each small group rating factor
2 used by a health carrier as authorized by RCW 48.21.045(3)(a),
3 48.44.023(3)(a), and 48.46.066(3)(a). Subsection (3) of this section
4 may continue to apply for a period of one year from the date a new
5 individual or small group product filing is submitted or until the next
6 rate filing for the product, whichever occurs earlier, if the
7 commissioner determines that the proposed rate filing is for a new
8 product that is distinct and unique from any of the carrier's currently
9 or previously offered health benefit plans. Carriers must make a
10 written request for a product classification as a new product under
11 this subsection and must receive subsequent written approval by the
12 commissioner for this subsection to apply.

13 (5) Unless the commissioner has determined that a filing is for a
14 new product pursuant to subsection (4) of this section, for all
15 individual or small group health benefit rate filings submitted on or
16 after July 1, 2011, the health carrier must submit part I rate increase
17 summary and part II written explanation of the rate increase as set
18 forth by the department of health and human services at the time of
19 filing, and the commissioner must:

20 (a) Make each filing and the part I rate increase summary and part
21 II written explanation of the rate increase available for public
22 inspection on the tenth calendar day after the commissioner determines
23 that the rate filing is complete and accepts the filing for review
24 through the electronic rate and form filing system; and

25 (b) Prepare a standardized rate summary form, to explain his or her
26 findings after the rate review process is completed. The
27 commissioner's summary form must be included as part of the rate filing
28 documentation and available to the public electronically.

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