

SSB 6265 - S AMD 494

By Senators Dammeier, Rivers, Keiser

ADOPTED 02/18/2014

1 On page 2, after line 13, insert the following:

2 "Sec. 2. RCW 43.71.075 and 2012 c 87 s 25 are each amended to read
3 as follows:

4 (1) A person or entity functioning as a navigator consistent with
5 the requirements of section 1311(i) of P.L. 111-148 of 2010, as
6 amended, shall not be considered soliciting or negotiating insurance as
7 stated under chapter 48.17 RCW.

8 (2)(a) A person or entity functioning as a navigator may only
9 request health care information that is relevant to the specific
10 assessment and recommendation of health plan options. Any health care
11 information received by a navigator may not be disclosed to any third
12 party that is not part of the enrollment process and must be destroyed
13 after enrollment has been completed.

14 (b) If a person's health care information is received and disclosed
15 to a third party in violation of (a) of this subsection, the navigator
16 must notify the person of the breach. The exchange must develop a
17 policy to establish a reasonable notification period and what
18 information must be included in the notice. This policy and
19 information on the exchange's confidentiality policies must be made
20 available on the exchange's web site.

21 (3) For the purposes of this section, "health care information" has
22 the meaning provided in RCW 70.02.010."

23 Renumber the remaining section consecutively.

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1 On page 1, line 2 of the title, after "70.02.290" insert "and
2 43.71.075"

EFFECT: Navigators who are certified by the Health Benefit Exchange may only request health care information that is relevant to the specific assessment and recommendation of health plan options. Information received by navigators may not be disclosed to third parties. If a disclosure has occurred, the navigator must notify the person of the breach. The Health Benefit Exchange must develop a policy to establish a reasonable notification period and include this policy on its web site.

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