

# HOUSE BILL REPORT

## SB 5216

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**As Passed House:**  
April 3, 2013

**Title:** An act relating to long-term care insurance.

**Brief Description:** Addressing long-term care insurance.

**Sponsors:** Senators Rolfes, Bailey, Mullet, Parlette, Keiser, Shin and Conway; by request of Insurance Commissioner.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 3/21/13, 3/26/13 [DP].

**Floor Activity:**

Passed House: 4/3/13, 97-0.

**Brief Summary of Bill**

- Reduces the amount of time in which long-term care denials must be made.
- Requires the Insurance Commissioner to adopt prompt payment requirements for long-term care insurance.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 16 members: Representatives Cody, Chair; Jinkins, Vice Chair; Schmick, Ranking Minority Member; Angel, Clibborn, Green, Harris, Manweller, Moeller, Morrell, Riccelli, Rodne, Ross, Short, Tharinger and Van De Wege.

**Staff:** Jim Morishima (786-7191).

**Background:**

Long-term care insurance is an insurance policy, contract, or rider that provides coverage for at least 12 consecutive months for the covered person. In 2008 Washington enacted long-term care legislation based on a model act developed by the National Association of Insurance Commissioners (NAIC). Under this legislation, all long-term care denials must be

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made within 60 days after receipt of a written request made by a policyholder, a certificate holder, or his or her representative.

Recent revisions to the NAIC model act require prompt payment of "clean claims," which are defined as claims that have no defect or impropriety, including any lack of required substantiating documentation, such as satisfactory evidence of expenses incurred, or particular circumstances requiring special treatment that prevents timely payment from being made on the claim. Under the NAIC model act, an insurer must pay a clean claim within 30 days.

**Summary of Bill:**

All long-term care denials must be made within 30 days after receipt of a written request made by a policyholder, a certificate holder, or his or her representative.

The Insurance Commissioner must adopt by rule prompt payment requirements for long-term care insurance. The rules must include a definition of "claim" and "clean claim." In adopting the rules, the Insurance Commissioner must consider the prompt payment requirements in long-term care insurance model acts developed by the NAIC.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) A lot of people are concerned about long-term care insurance in the areas of prompt payment and increasing rates. When our aging population is purchasing this type of insurance, the state should ensure that they have the good consumer protections they deserve.

(Opposed) None.

**Persons Testifying:** Senator Rolfes, prime sponsor; and Mary Childers, Office of the Insurance Commissioner.

**Persons Signed In To Testify But Not Testifying:** None.