
SUBSTITUTE HOUSE BILL 2904

State of Washington 64th Legislature 2016 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Blake and Rossetti)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to requiring issuers to accept payments made by
2 businesses solely owned by an enrollee; and amending RCW 48.43.059.

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

4 **Sec. 1.** RCW 48.43.059 and 2015 c 284 s 2 are each amended to
5 read as follows:

6 (1) For the purposes of this section, "second-party payment
7 process" means a process in which: (a) An individual has an account
8 under his or her name maintained with a financial institution and is
9 either managed by the financial institution or an entity that, with
10 the express agreement with the individual, has established the
11 account on behalf of the individual with a financial institution; (b)
12 the account is funded with funds from the individual or his or her
13 family members or in a manner otherwise consistent with federal law
14 including, but not limited to, federal guidance implementing the
15 federal patient protection and affordable care act; and (c) the
16 account is under the control of the covered person, such that the
17 covered person may authorize payments from the account.

18 (2) All issuers must accept any payments made by:

19 (a) A second-party payment process; however, no issuer need
20 accept payment by a second-party payment process if the second-party
21 payer is controlled by or receives funding from any entity where such

1 entity may be reimbursed by an issuer for providing health care
2 services or if the account under the control of the covered person is
3 funded by any such entity, except those third-party entities from
4 whom federal law requires such issuer to accept payment; or

5 (b) A sole proprietor business for an individual policy that only
6 covers the owner of the sole proprietor business if the business
7 provides proof to the issuer of its sole proprietor company status.
8 For purposes of this subsection (2)(b), proof to the issuer of a
9 business' sole proprietor company status includes, but is not limited
10 to, a written, owner-signed attestation of the business' sole
11 proprietor company status.

12 (3) Payments made under subsection (2) of this section may be
13 made with any legal tender denominated in United States dollars.

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