
SENATE BILL 5142

State of Washington 64th Legislature 2015 Regular Session

By Senators Becker, Bailey, Rivers, Brown, and Keiser

Read first time 01/14/15. Referred to Committee on Health Care.

1 AN ACT Relating to modifying health benefit exchange provisions
2 related to the aggregation or delegating the aggregation of funds
3 that comprise the premium for a health plan; amending RCW 43.71.030;
4 and creating a new section.

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

6 **Sec. 1.** RCW 43.71.030 and 2012 c 87 s 4 are each amended to read
7 as follows:

8 (1) The exchange may, consistent with the purposes of this
9 chapter: (a) Sue and be sued in its own name; (b) make and execute
10 agreements, contracts, and other instruments, with any public or
11 private person or entity; (c) employ, contract with, or engage
12 personnel; (d) pay administrative costs; (e) accept grants,
13 donations, loans of funds, and contributions in money, services,
14 materials or otherwise, from the United States or any of its
15 agencies, from the state of Washington and its agencies or from any
16 other source, and use or expend those moneys, services, materials, or
17 other contributions; and (f) (~~aggregate or delegate the aggregation~~
18 ~~of funds that comprise the premium for a health plan; and (g))~~)
19 complete other duties necessary to begin open enrollment in qualified
20 health plans through the exchange beginning October 1, 2013.

1 (2) The board shall develop a methodology to ensure the exchange
2 is self-sustaining after December 31, 2014. The board shall seek
3 input from health carriers to develop funding mechanisms that fairly
4 and equitably apportion among carriers the reasonable administrative
5 costs and expenses incurred to implement the provisions of this
6 chapter. The board shall submit its recommendations to the
7 legislature by December 1, 2012. If the legislature does not enact
8 legislation during the 2013 regular session to modify or reject the
9 board's recommendations, the board may proceed with implementation of
10 the recommendations.

11 (3) The board shall establish policies that permit city and
12 county governments, Indian tribes, tribal organizations, urban Indian
13 organizations, private foundations, and other entities to pay
14 premiums on behalf of qualified individuals.

15 (4) The employees of the exchange may participate in the public
16 employees' retirement system under chapter 41.40 RCW and the public
17 employees' benefits board under chapter 41.05 RCW.

18 (5) Qualified employers may access coverage for their employees
19 through the exchange for small groups under section 1311 of P.L.
20 111-148 of 2010, as amended. The exchange shall enable any qualified
21 employer to specify a level of coverage so that any of its employees
22 may enroll in any qualified health plan offered through the small
23 group exchange at the specified level of coverage.

24 (6) The exchange shall report its activities and status to the
25 governor and the legislature as requested, and no less often than
26 annually.

27 (7) The exchange shall not aggregate or delegate the aggregation
28 of funds that comprise the premium for an individual qualified health
29 plan.

30 NEW SECTION. **Sec. 2.** This act applies to health benefit
31 exchange provisions beginning with the 2016 open enrollment period.

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