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HOUSE BILL 1576

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State of Washington

65th Legislature

2017 Regular Session

By Representative Schmick

Read first time 01/24/17. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to legislative oversight over the activities of  
2 the office of the insurance commissioner; amending RCW 48.02.170; and  
3 adding a new chapter to Title 48 RCW.

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

5 NEW SECTION. **Sec. 1.** The definitions in this section apply  
6 throughout this chapter, unless the context clearly requires  
7 otherwise.

8 (1) "Commissioner" means the insurance commissioner.

9 (2) "Health care service" has the same meaning as in RCW  
10 48.43.005.

11 (3) "Health carrier" has the same meaning as in RCW 48.43.005.

12 (4) "Health plan" means any policy, contract, or agreement  
13 offered by a health carrier to provide, arrange, reimburse, or pay  
14 for health care services.

15 (5) "Joint administrative rules review committee" or "committee"  
16 means the joint administrative rules review committee established  
17 under RCW 34.05.610.

18 (6) "Significant legislative rule" means a rule adopted under RCW  
19 34.05.328.

1        NEW SECTION.    **Sec. 2.**    (1) The commissioner shall review each  
2 significant legislative rule, adopted on or after the effective date  
3 of this section, relating to health carriers or health plans. The  
4 commissioner shall initiate the review two years after the rule's  
5 effective date and complete the review within sixty days.

6        (2) When conducting the review, the commissioner shall:

7        (a) Repeat the analysis he or she performed under RCW 34.05.328  
8 in light of the commissioner's experience implementing the rule and  
9 any changes in the health insurance marketplace;

10       (b) Determine whether the analysis originally performed under RCW  
11 34.05.328 is accurate and valid under current circumstances; and

12       (c) Solicit input from stakeholders.

13       (3) If the commissioner finds that the analysis performed under  
14 RCW 34.05.328 is inaccurate or no longer valid under current  
15 circumstances, the review must include the corrective action the  
16 commissioner plans to implement, including amending or repealing the  
17 rule.

18       (4) Upon completion, the commissioner shall transmit all reviews  
19 completed under this section, including any stakeholder input  
20 received under subsection (2)(c) of this section, to the health care  
21 committees of the house of representatives and the senate.

22       NEW SECTION.    **Sec. 3.**    (1) Within sixty days of a written request  
23 by the chair or ranking minority member of one of the health care  
24 committees of the house of representatives or senate, the joint  
25 administrative rules review committee shall conduct a hearing on a  
26 review completed by the commissioner under section 2 of this act.

27       (2) If a majority of the members of the joint administrative  
28 rules review committee finds that the commissioner's initial analysis  
29 under RCW 34.05.328 is inaccurate or no longer valid under current  
30 circumstances and the commissioner's proposed corrective action will  
31 not resolve the inaccuracy or invalidity, the committee may order the  
32 commissioner to amend or repeal the rule.

33       (3) The code reviser shall publish orders issued by the joint  
34 administrative rules review committee under this section in the  
35 Washington State Register.

36       (4) Upon publication of an order in the Washington State Register  
37 under subsection (3) of this section, the commissioner shall  
38 immediately initiate rule making to implement the order.

1       **Sec. 4.** RCW 48.02.170 and 2009 c 549 s 7012 are each amended to  
2 read as follows:

3       (1) The commissioner shall, as soon as accurate preparation  
4 enables, prepare a report of his or her official transactions during  
5 the preceding fiscal year, containing information relative to  
6 insurance as the commissioner deems proper.

7       (2) The report must include the following performance data on the  
8 commissioner's regulatory activities in the health insurance market:

9       (a) License applications and renewals, including the outcomes of  
10 the applications and renewals and the average time to process the  
11 applications and renewals;

12       (b) Reviews of rates and forms, the outcome of the reviews, and  
13 the average time to complete the reviews; and

14       (c) Enforcement actions against regulated entities, including the  
15 outcomes of the actions and the average time to complete the actions.

16       NEW SECTION.       **Sec. 5.** Sections 1 through 3 of this act  
17 constitute a new chapter in Title 48 RCW.

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