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ENGROSSED SUBSTITUTE SENATE BILL 6084

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State of Washington

65th Legislature

2018 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Cleveland, Kuderer, Keiser, Llias, Chase, and Conway)

READ FIRST TIME 01/24/18.

1 AN ACT Relating to exploring enforcement of a requirement to  
2 maintain minimum essential health care coverage; adding a new section  
3 to chapter 48.43 RCW; creating a new section; and providing an  
4 expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) The federal government passed the tax cuts and jobs act,  
8 which reduces all penalties for failing to maintain minimum essential  
9 health care coverage to zero;

10 (b) Maintaining minimum essential health care coverage is an  
11 integral part of stabilizing the individual health insurance market  
12 in the state and ensuring Washington residents have access to  
13 affordable health coverage; and

14 (c) In the 1990s, Washington's individual health insurance market  
15 collapsed, partially as a result of revoking the state requirement to  
16 maintain minimum essential health care coverage.

17 (2) It is therefore the intent of the legislature to avoid  
18 another collapse of the individual market by proactively exploring  
19 options on implementing and enforcing a state-level requirement to  
20 maintain minimum essential health care coverage.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 48.43  
2    RCW to read as follows:

3        (1) A task force on exploring individual mandate enforcement  
4    mechanisms is established with the following members:

5        (a) A representative of the health benefit exchange;  
6        (b) A representative of the health care authority;  
7        (c) A representative of the department of revenue; and  
8        (d) Three members appointed by the commissioner:

9        (i) A representative of issuers;  
10       (ii) A representative of consumers; and  
11       (iii) A representative of business groups.

12       (2) The office of the insurance commissioner must convene the  
13    task force.

14       (3) The task force must choose its chair from among its  
15    membership.

16       (4) Meetings of the task force must be open to the public and  
17    provide an opportunity for public comment.

18       (5) The task force must review and analyze the feasibility of  
19    different options for state enforcement of the requirement to  
20    maintain minimum essential coverage, and must develop recommended  
21    options for enforcement. The task force must also review and analyze  
22    the feasibility of other options to incentivize the maintenance of  
23    minimum essential coverage other than a mandate.

24       (6) Members of the task force, except those representing an  
25    employer or organization, are entitled to be reimbursed for travel  
26    expenses in accordance with RCW 43.03.050 and 43.03.060.

27       (7) By December 1, 2018, and in compliance with RCW 43.01.036,  
28    the task force must report its findings to the legislature. The final  
29    report must include an overview of the options reviewed by the task  
30    force and the recommended options of the task force.

31       (8) This section expires June 30, 2019.

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