

ESHB 1733 - S AMD 971
By Senator Wagoner

NOT ADOPTED 01/26/2022

1 On page 2, after line 38, insert the following:

2 "Sec. 2. RCW 50B.04.085 and 2021 c 113 s 5 are each amended to
3 read as follows:

4 (1) An employee who attests that the employee has long-term care
5 insurance purchased before (~~November 1, 2021~~) February 1, 2023, may
6 apply for an exemption from the premium assessment under RCW
7 50B.04.080. An exempt employee may not become a qualified individual
8 or eligible beneficiary and is permanently ineligible for coverage
9 under this title.

10 (2) (a) The employment security department must accept
11 applications for exemptions only from October 1, 2021, through
12 December 31, (~~2022~~) 2023.

13 (b) Only employees who are eighteen years of age or older may
14 apply for an exemption.

15 (3) The employment security department is not required to verify
16 the attestation of an employee that the employee has long-term care
17 insurance.

18 (4) Approved exemptions will take effect on the first day of the
19 quarter immediately following the approval of the exemption.

20 (5) Exempt employees are not entitled to a refund of any premium
21 deductions made before the effective date of an approved exemption.

22 (6) An exempt employee must provide written notification to all
23 current and future employers of an approved exemption.

24 (7) If an exempt employee fails to notify an employer of an
25 exemption, the exempt employee is not entitled to a refund of any
26 premium deductions made before notification is provided.

27 (8) Employers must not deduct premiums after being notified by an
28 employee of an approved exemption.

29 (a) Employers must retain written notifications of exemptions
30 received from employees.

1 (b) An employer who deducts premiums after being notified by the
2 employee of an exemption is solely responsible for refunding to the
3 employee any premiums deducted after the notification.

4 (c) The employer is not entitled to a refund from the employment
5 security department for any premiums remitted to the employment
6 security department that were deducted from exempt employees.

7 (9) The department must adopt rules necessary to implement and
8 administer the activities specified in this section related to the
9 program, including rules on the submission and processing of
10 applications under this section."

11 Renumber the remaining sections consecutively and correct any
12 internal references accordingly.

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13 On page 1, line 1 of the title, after "Relating to" strike
14 "establishing"

15 On page 1, beginning on line 2 of the title, after "program"
16 strike all material through "report" on line 4

17 On page 1, line 9 of the title, after "visa" insert "and
18 extending the application for the long-term care insurance exemption"

19 On page 1, line 9 of the title, after "50B.04.080" insert "
20 50B.04.085,"

EFFECT: Establishes a long-term care insurance opt-out period for those who have attested to purchasing long-term care insurance by February 1, 2023. The Employment Security Department is required to accept applications for the long-term care insurance exemption from the program from October 1, 2021, through December 1, 2023.

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