

WSR 23-14-019

PERMANENT RULES

HEALTH CARE AUTHORITY

(School Employees Benefits Board)

[Admin #2023-02.01—Filed June 23, 2023, 9:21 a.m., effective January 1, 2024]

Effective Date of Rule: January 1, 2024.

Purpose: The purpose of this proposal is to add a new section to support the school employees benefits board (SEBB) program:

Created WAC 182-31-093 to implement the following SEBB policy resolutions: Policy Resolution SEBB 2023-01 SEBB continuation coverage eligibility for nonrepresented educational service district (ESD) school employees not eligible for benefits under the SEBB program, Policy Resolution SEBB 2023-02 SEBB continuation coverage for dependents not eligible under the SEBB program, and Policy Resolution SEBB 2023-03 SEBB continuation coverage for a nonrepresented school employee's dependent who is already on an ESD's continuation coverage.

Citation of Rules Affected by this Order: New WAC 182-31-093.

Statutory Authority for Adoption: RCW 41.05.021 and 41.05.160.

Other Authority: Policy Resolutions SEBB 2023-01, 2023-02, and 2023-03.

Adopted under notice filed as WSR 23-10-067 on May 2, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 1, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: June 23, 2023.

Wendy Barcus
Rules Coordinator

OTS-4509.2

NEW SECTION

WAC 182-31-093 School employees benefits boards (SEBB) continuation coverage for nonrepresented educational service district (ESD) school employees and their dependents who are not eligible for benefits under the SEBB program as of January 1, 2024, and for dependents who were already on an ESD's or public employees benefits board (PEBB) program's continuation coverage as of December 31, 2023. Nonrepresented educational service district (ESD) school employees and their dependents may gain temporary eligibility for school employees benefits board (SEBB) benefits, on a self-pay basis, if they meet the following criteria:

(1) A nonrepresented ESD school employee and their dependents who are enrolled in medical, dental, or vision under a group plan offered by a SEBB organization on December 31, 2023, who lose eligibility because the school employee is not eligible under WAC 182-30-130 or 182-31-040, may elect to continue existing enrollment in one or more of the following SEBB benefits: Medical, dental, or vision coverage. These benefits will be provided for a maximum of 18 months.

(2) A dependent of a SEBB eligible nonrepresented school employee of an ESD who is enrolled in medical, dental, or vision under a school employee's account on December 31, 2023, who loses eligibility because they are not an eligible dependent under WAC 182-31-140 may continue existing enrollment for a maximum of 36 months.

(3) A dependent of a nonrepresented school employee who is continuing medical, dental, or vision coverage through an ESD on December 31, 2023, may elect to continue existing enrollment to finish out their remaining months, up to the maximum number of months authorized by Consolidated Omnibus Budget Reconciliation Act for a similar event, by enrolling in a medical, dental, or vision plan offered through the SEBB program.

(4) The nonrepresented school employee's or the dependent's election must be received by the SEBB program no later than 60 days after January 1, 2024. If the nonrepresented school employee's or a dependent's monthly premium or applicable premium surcharges remain unpaid for 60 days from the original due date, the nonrepresented school employee's SEBB benefits will be terminated retroactive to the last day of the month for which the monthly premium and applicable premium surcharges were paid as described in WAC 182-30-040 (1)(c).