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**SUBSTITUTE HOUSE BILL 2772**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Zellinsky, Dellwo, Haugen, Broback, R. Johnson, Anderson, Paris, Dorn, Winsley, Schmidt, R. Meyers, Brough, Wood, Ludwig, Hochstatter, Mitchell, J. Kohl and Nelson)

Read first time 02/07/92.

1       AN ACT Relating to health coverage offered to employers prohibiting  
2 individual exclusions from coverage based solely on medical condition  
3 or health status; adding a new section to chapter 48.21 RCW; adding a  
4 new section to chapter 48.44 RCW; and adding a new section to chapter  
5 48.46 RCW.

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

7       NEW SECTION.   **Sec. 1.** A new section is added to chapter 48.21 RCW  
8 to read as follows:

9       (1) As used in this section "employer-sponsored group" means any  
10 person, firm, corporation, partnership, or association that is actively  
11 engaged in business that, during the most recent calendar year,  
12 employed at least three unrelated persons but no more than fifty  
13 persons who are eligible for coverage under a health care benefit plan  
14 on at least fifty percent of that business's working days.

1 (2) An insurer offering employer-sponsored group coverage is  
2 prohibited from excluding individuals otherwise eligible for coverage  
3 based solely on the medical condition or health status of the  
4 individuals. When determining the acceptance or rejection of an  
5 employer-sponsored group making application for coverage, insurers  
6 shall make the determinations for the entire group of eligible  
7 employees, and may not exclude individuals otherwise eligible based  
8 solely on medical condition or health status.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.44 RCW  
10 to read as follows:

11 (1) As used in this section "employer-sponsored group" means any  
12 person, firm, corporation, partnership, or association that is actively  
13 engaged in business that, during the most recent calendar year,  
14 employed at least three unrelated persons but no more than fifty  
15 persons who are eligible for coverage under a health care benefit plan  
16 on at least fifty percent of that business's working days.

17 (2) A health care service contractor offering employer-sponsored  
18 group coverage is prohibited from excluding individuals otherwise  
19 eligible for coverage based solely on the medical condition or health  
20 status of the individuals. When determining the acceptance or  
21 rejection of an employer-sponsored group making application for  
22 coverage, health care service contractors shall make the determinations  
23 for the entire group of eligible employees, and may not exclude  
24 individuals otherwise eligible based solely on medical condition or  
25 health status.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.46 RCW  
27 to read as follows:

1           (1) As used in this section "employer-sponsored group" mean any  
2 person, firm, corporation, partnership, or association that is actively  
3 engaged in business that, during the most recent calendar year,  
4 employed at least three unrelated persons but no more than fifty  
5 persons who are eligible for coverage under a health care benefit plan  
6 on at least fifty percent of that business's working days.

7           (2) A health maintenance organization offering employer-sponsored  
8 group coverage is prohibited from excluding individuals otherwise  
9 eligible for coverage based solely on the medical condition or health  
10 status of the individuals. When determining the acceptance or  
11 rejection of an employer-sponsored group making application for  
12 coverage, health maintenance organizations shall make the  
13 determinations for the entire group of eligible employees, and may not  
14 exclude individuals otherwise eligible based solely on medical  
15 condition or health status.