S-6188.1

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**SUBSTITUTE SENATE BILL 6097**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Rolfes, Kuderer, Pedersen, Frockt, Conway, Randall, Carlyle, and Saldaña)

AN ACT Relating to requiring the insurance commissioner to review a health carrier's surplus levels as part of its rate filing review process; and adding a new section to chapter 48.43 RCW.

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

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

(1) For individual and small group rate filings with an effective date on or after January 1, 2021, submitted by a nonprofit health carrier for either the individual or small group markets, the commissioner must review the carrier's surplus levels as an element in determining the reasonableness of the proposed rate.

(2) In reviewing the surplus, the commissioner must take into consideration the capital facility needs for carriers maintaining and operating hospital and clinical facilities, and any surplus levels required by a national association with which the carrier is affiliated.

(3) Except as provided in subsection (1) of this section, this section does not affect the rate review authority granted to the commissioner by chapter 48.19, 48.44, or 48.46 RCW.

(4) The commissioner may adopt rules to implement this section.

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