CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1566

Chapter 335, Laws of 2009

61st Legislature
2009 Regular Session

STATE OF EMERGENCY--INSURANCE COMMISSIONER AUTHORITY

EFFECTIVE DATE: 07/26/09

Passed by the House April 18, 2009
Yeas 97 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 8, 2009
Yeas 45 Nays 2

BRAD OWEN
President of the Senate

Approved May 5, 2009, 2:12 p.m.

I, Barbara Baker, Chief Clerk of
the House of Representatives of the State of Washington, do hereby
certify that the attached is ENGROSSED HOUSE BILL 1566 as
passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER
Chief Clerk

FILED
May 8, 2009

CHRISTINE GREGOIRE
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to granting the insurance commissioner certain authority when the governor declares a state of emergency; and amending RCW 48.02.060.

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

Sec. 1. RCW 48.02.060 and 1947 c 79 s .02.06 are each amended to read as follows:

(1) The commissioner has the authority expressly conferred upon him or her by or reasonably implied from the provisions of this code.

(2) The commissioner shall execute his or her duties and shall enforce the provisions of this code.

(3) The commissioner may:

(a) Make reasonable rules for effectuating any provision of this code, except those relating to his or her election, qualifications, or compensation. Rules are not effective prior to their being filed for public inspection in the commissioner's office.

(b) Conduct investigations to determine whether any person has violated any provision of this code.
(c) Conduct examinations, investigations, hearings, in addition to
those specifically provided for, useful and proper for the efficient
administration of any provision of this code.

(4) When the governor proclaims a state of emergency under RCW
43.06.010(12), the commissioner may issue an order that addresses any
or all of the following matters related to insurance policies issued in
this state:
   (a) Reporting requirements for claims;
   (b) Grace periods for payment of insurance premiums and performance
       of other duties by insureds;
   (c) Temporary postponement of cancellations and renewals; and
   (d) Medical coverage to ensure access to care.

(5) An order by the commissioner under subsection (4) of this
section may remain effective for not more than sixty days unless the
commissioner extends the termination date for the order for an
additional period of not more than thirty days. The commissioner may
extend the order if, in the commissioner's judgment, the circumstances
warrant an extension. An order of the commissioner under subsection
(4) of this section is not effective after the related state of
emergency is terminated by proclamation of the governor under RCW
43.06.210. The order must specify, by line of insurance:
   (a) The geographic areas in which the order applies, which must be
       within but may be less extensive than the geographic area specified in
       the governor's proclamation of a state of emergency and must be
       specific according to an appropriate means of delineation, such as the
       United States postal service zip codes or other appropriate means; and
   (b) The date on which the order becomes effective and the date on
       which the order terminates.

(6) The commissioner may adopt rules that establish general
criteria for orders issued under subsection (4) of this section and may
adopt emergency rules applicable to a specific proclamation of a state
of emergency by the governor.

(7) The rule-making authority set forth in subsection (6) of this
section does not limit or affect the rule-making authority otherwise
granted to the commissioner by law.

Passed by the House April 18, 2009.
Passed by the Senate April 8, 2009.
Approved by the Governor May 5, 2009.
Filed in Office of Secretary of State May 8, 2009.