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**SUBSTITUTE SENATE BILL 6534**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senator Cleveland)

READ FIRST TIME 02/03/20.

1 AN ACT Relating to an ambulance transport quality assurance fee;  
2 reenacting and amending RCW 43.84.092; adding a new chapter to Title  
3 74 RCW; prescribing penalties; providing an expiration date; and  
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the payments to  
7 private emergency ambulance service providers for transports for  
8 medicaid recipients have not been increased since 2004, resulting in  
9 a loss for carriers who provide this service. This has resulted in  
10 the shifting of cost of medicaid transports to other payers.

11 The purpose of this chapter is to provide for a quality assurance  
12 fee for specified providers of emergency ambulance services as  
13 referenced in 42 C.F.R. Sec. 433.56, which will be used to add on to  
14 base funding from all other sources, thereby supporting additional  
15 medicaid payments to nonpublic and nonfederal providers of emergency  
16 ambulance services as specified in this chapter.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply  
18 throughout this chapter unless the context clearly requires  
19 otherwise.

1 (1) "Aggregate fee schedule amount" means the product of the add-  
2 on calculated pursuant to section 6(1) of this act multiplied by the  
3 number of emergency ambulance transports for the state fiscal year.

4 (2) "Ambulance transport provider subject to the fee" means an  
5 ambulance transport provider that is licensed under RCW 18.73.140  
6 that bills and receives patient care revenue from the provision of  
7 ambulance transports. "Ambulance transport provider subject to the  
8 fee" does not include a provider that is owned or operated by the  
9 state, cities, counties, fire protection districts, regional fire  
10 protection service authorities, port districts, public hospital  
11 districts, community services districts, health care districts,  
12 federally recognized Indian tribes, or any unit of government as  
13 defined in 42 C.F.R. Sec. 433.50.

14 (3) "Annual quality assurance fee rate" means the quality  
15 assurance fee per emergency ambulance transport during each  
16 applicable state fiscal year assessed on each ambulance transport  
17 provider subject to the fee.

18 (4) "Authority" means the Washington state health care authority.

19 (5) "Available fee amount" means the sum of the following:

20 (a) The amount deposited in the ambulance transport fund  
21 established under section 3 of this act during the applicable state  
22 fiscal year, less the amounts described in section 3(3)(a) of this  
23 act; and

24 (b) Any federal financial participation obtained as a result of  
25 the deposit of the amount described in this subsection, for the  
26 applicable state fiscal year.

27 (6) "Effective state medical assistance percentage" means a ratio  
28 of the aggregate expenditures from state-only sources for medicaid  
29 divided by the aggregate expenditures from state and federal sources  
30 for medicaid for a state fiscal year.

31 (7) "Emergency ambulance transport" means the act of transporting  
32 an individual by use of an ambulance during which a client receives  
33 needed emergency medical services en route to an appropriate medical  
34 facility. "Emergency ambulance transport" does not include  
35 transportation of beneficiaries by passenger cars, taxicabs, litter  
36 vans, wheelchair vans, or other forms of public or private  
37 conveyances, nor does it include transportation by an air ambulance  
38 provider. An "emergency ambulance transport" does not occur when,  
39 following evaluation of a patient, a transport is not provided.

1 (8) "Fee-for-service payment schedule" means the payment rates to  
2 ambulance transport providers for emergency ambulance transports by  
3 the authority without the inclusion of the add-on described in  
4 section 6 of this act.

5 (9) "Gross receipts" means the total amount of payments received  
6 as patient care revenue for emergency ambulance transports,  
7 determined on a cash basis of accounting. "Gross receipts" includes  
8 all payments received as patient care revenue for emergency ambulance  
9 transports from medicaid, medicare, commercial insurance, and all  
10 other payers as payment for services rendered.

11 (10) "Medicaid" means the medical assistance program and the  
12 state children's health insurance program as established in Title XIX  
13 and Title XXI of the social security act, respectively, and as  
14 administered in the state of Washington by the authority.

15 (11) "Program" means the ambulance quality assurance fee program  
16 established in this chapter.

17 NEW SECTION. **Sec. 3.** (1) A dedicated fund is hereby established  
18 within the state treasury to be known as the ambulance transport  
19 fund. The purpose and use of the fund shall be to receive and  
20 disburse funds, together with accrued interest, in accordance with  
21 this chapter. Moneys in the fund, including interest earned, shall  
22 not be used or disbursed for any purposes other than those specified  
23 in this chapter. Any amounts expended from the fund that are later  
24 recouped by the authority on audit or otherwise shall be returned to  
25 the fund. Moneys in the account may be spent only after  
26 appropriation.

27 (2) The quality assurance fees collected by the authority  
28 pursuant to section 5 of this act must be deposited in the ambulance  
29 transport fund.

30 (3) The moneys in the ambulance transport fund, including any  
31 interest and dividends earned on money in the fund, shall be  
32 available exclusively to enhance federal financial participation for  
33 ambulance services under the medicaid program and to provide  
34 additional reimbursement to, and to support quality improvement  
35 efforts of, ambulance transport providers subject to the fee, and to  
36 pay for the state's administrative costs and to provide funding for  
37 health care coverage for Washingtonians, in the following order of  
38 priority:

1 (a) To pay for the authority's staffing and administrative costs  
2 directly attributable to administering this chapter, not to exceed  
3 five percent of the annual quality assurance fee rate collection  
4 amount, exclusive of any federal matching funds; and

5 (b) To make increased payments to ambulance transport providers  
6 subject to the fee pursuant to section 6 of this act.

7 NEW SECTION. **Sec. 4.** (1) Each ambulance transport provider  
8 subject to the fee must report to the authority the number of  
9 emergency ambulance transports by payer type and the annual gross  
10 receipts for the state fiscal year ending June 30, 2020, pursuant to  
11 form and timing required by the authority. The authority shall  
12 establish the timing for such reporting to occur on or after August  
13 15, 2020.

14 (2) Each ambulance transport provider subject to the fee must  
15 report to the authority the number of emergency ambulance transports  
16 by payer type for each state fiscal quarter commencing with the state  
17 fiscal quarter ending September 30, 2020, pursuant to form and timing  
18 required by the authority. The authority shall establish the timing  
19 for such reporting to occur on or after the forty-fifth day after the  
20 end of each applicable state fiscal quarter.

21 (3) Each ambulance transport provider subject to the fee must  
22 report to the authority the annual gross receipts for each state  
23 fiscal year commencing with the state fiscal year ending June 30,  
24 2021, pursuant to form and timing required by the authority. The  
25 authority shall establish the timing for such reporting to occur on  
26 or after the forty-fifth day after the end of each applicable state  
27 fiscal year.

28 (4) The authority may require a certification by each ambulance  
29 transport provider subject to the fee under penalty of perjury of the  
30 truth of the reports required under this section. Upon written notice  
31 to an ambulance transport provider, the authority may impose a civil  
32 penalty of one hundred dollars per day against an ambulance transport  
33 provider for every day that an ambulance transport provider fails to  
34 make a report required by this section within five days of the date  
35 upon which the report was due. Any funds resulting from a penalty  
36 imposed pursuant to this subsection shall be deposited in the  
37 ambulance transport fund established in section 3 of this act.

1        NEW SECTION.    **Sec. 5.**    (1) Beginning July 1, 2021, and annually  
2 thereafter, the authority shall assess each ambulance transport  
3 provider subject to the fee, a quality assurance fee. Each ambulance  
4 transport provider subject to the fee must pay the quality assurance  
5 fee on a quarterly basis. The quarterly quality assurance fee payment  
6 shall be based on the annual quality assurance fee rate for the  
7 applicable state fiscal year multiplied by the number of emergency  
8 ambulance transports provided by the ambulance transport provider  
9 subject to the fee in the second quarter preceding the state fiscal  
10 quarter for which the fee is assessed.

11        (2)(a) For the state fiscal year beginning July 1, 2021, the  
12 annual quality assurance fee rate shall be calculated by multiplying  
13 the projected total annual gross receipts for all ambulance transport  
14 providers subject to the fee by five percent, which resulting product  
15 shall be divided by the projected total annual emergency ambulance  
16 transports by all ambulance transport providers subject to the fee  
17 for the state fiscal year.

18        (b) For state fiscal years beginning July 1, 2022, and continuing  
19 each state fiscal year thereafter, the quality assurance fee rate  
20 shall be calculated by a ratio, the numerator of which shall be the  
21 sum of (i) the product of the projected aggregate fee schedule amount  
22 and the effective state medical assistance percentage and (ii) the  
23 amount described in section 3(3)(a) of this act that the authority  
24 projects will be directly attributable to the initial and continued  
25 implementation of this chapter for the state fiscal year, and the  
26 denominator of which shall be the projected total annual emergency  
27 ambulance transports by all ambulance transport providers subject to  
28 the fee.

29        (c) If, during a state fiscal year, the actual or projected  
30 available fee amount exceeds or is less than the actual or projected  
31 aggregate fee schedule amount by more than one percent, the authority  
32 shall adjust the annual quality assurance fee rate so that the  
33 available fee amount for the state fiscal year is approximately equal  
34 to the aggregate fee schedule amount for the state fiscal year. The  
35 available fee amount for a state fiscal year shall be considered to  
36 equal the aggregate fee schedule amount for the state fiscal year if  
37 the difference between the available fee amount for the state fiscal  
38 year and the aggregate fee schedule amount for the state fiscal year  
39 constitutes less than one percent of the aggregate fee schedule  
40 amount for the state fiscal year.

1 (3) For each state fiscal year for which the quality assurance  
2 fee is assessed, the authority shall send each ambulance transport  
3 provider subject to the fee an assessment notice no later than thirty  
4 days prior to the beginning of the applicable state fiscal quarter.  
5 For each state fiscal quarter for which the quality assurance fee is  
6 assessed, the authority shall send to each ambulance transport  
7 provider subject to the fee an invoice of the quarterly quality  
8 assurance fee payment due for the quarter no later than thirty days  
9 before the payment is due. For each state fiscal quarter for which  
10 the quality assurance fee is assessed, the ambulance transport  
11 provider subject to the fee shall remit payment to the authority by  
12 the date established by the authority, which shall be no earlier than  
13 fifteen days after the beginning of the applicable state fiscal  
14 quarter.

15 (4) (a) Interest shall be assessed on quality assurance fees not  
16 paid on the date due at the rate and in the manner provided in RCW  
17 43.20B.695. Interest shall be deposited in the ambulance transport  
18 fund established in section 3 of this act.

19 (b) In the event that any fee payment is more than sixty days  
20 overdue, the authority may deduct the unpaid fee and interest owed  
21 from any medicaid reimbursement payments owed to the ambulance  
22 transport provider until the full amount of the fee, interest, and  
23 any penalties assessed under this chapter are recovered. Any  
24 deduction made pursuant to this subsection shall be made only after  
25 the authority gives the ambulance transport provider written  
26 notification. Any deduction made pursuant to this subsection may be  
27 deducted over a period of time that takes into account the financial  
28 condition of the ambulance transport provider.

29 (c) In the event that any fee payment is more than sixty days  
30 overdue, a penalty equal to the interest charge described in (a) of  
31 this subsection shall be assessed and due for each month for which  
32 the payment is not received after sixty days. Any funds resulting  
33 from a penalty imposed pursuant to this subsection shall be deposited  
34 into the ambulance transport fund established in section 3 of this  
35 act.

36 (d) The authority may waive a portion or all of either the  
37 interest or penalties, or both, assessed under this chapter in the  
38 event the authority determines, in its sole discretion, that the  
39 ambulance transport provider has demonstrated that imposition of the  
40 full amount of the quality assurance fee pursuant to the timelines

1 applicable under this chapter has a high likelihood of creating an  
2 undue financial hardship for the provider. Waiver of some or all of  
3 the interest or penalties pursuant to this subsection shall be  
4 conditioned on the ambulance transport provider's agreement to make  
5 fee payments on an alternative schedule developed by the authority.

6 (5) The authority shall accept an ambulance transport provider's  
7 payment even if the payment is submitted in a rate year subsequent to  
8 the rate year in which the fee was assessed.

9 (6) In the event of a merger, acquisition, or similar transaction  
10 involving an ambulance transport provider that has outstanding  
11 quality assurance fee payment obligations pursuant to this chapter,  
12 including any interest and penalty amounts owed, the resultant or  
13 successor ambulance transport provider shall be responsible for  
14 paying to the authority the full amount of outstanding quality  
15 assurance fee payments, including any applicable interest and  
16 penalties, attributable to the ambulance transport provider for which  
17 it was assessed, upon the effective date of such transaction. An  
18 entity considering a merger, acquisition, or similar transaction  
19 involving an ambulance transport provider may submit a request to the  
20 authority to ascertain the outstanding quality assurance fee payment  
21 obligations of the ambulance transport provider pursuant to this  
22 chapter as of the date of the authority's response to that request.

23 NEW SECTION. **Sec. 6.** (1) Beginning July 1, 2021, and for each  
24 state fiscal year thereafter, reimbursement for emergency ambulance  
25 transports provided by ambulance transport providers subject to the  
26 fee shall be increased by application of an add-on to the associated  
27 medicaid fee-for-service payment schedule. The add-on increase to the  
28 fee-for-service payment schedule under this section shall be  
29 calculated by June 15, 2021, and shall remain the same for later  
30 state fiscal years, to the extent the authority determines federal  
31 financial participation is available. The authority shall calculate  
32 the projections required by this subsection based on the number of  
33 emergency ambulance transports and gross revenue data submitted  
34 pursuant to section 4 of this act. The fee-for-service add-on shall  
35 be equal to the quotient of the available fee amount projected by the  
36 authority on or before June 15, 2021, for the 2021-2022 state fiscal  
37 year, divided by the total medicaid emergency ambulance transports,  
38 projected by the authority on or before June 15, 2021, for the 2021-  
39 2022 state fiscal year. The resulting fee-for-service payment

1 schedule amounts after the application of this section shall be equal  
2 to the sum of the medicaid fee-for-service payment schedule amount  
3 and the add-on increase.

4 (2) The increased payments required by this section shall be  
5 funded solely from the following:

6 (a) The quality assurance fee set forth in section 5 of this act,  
7 along with any interest or other investment income earned on those  
8 funds; and

9 (b) Federal reimbursement and any other related federal funds.

10 (3) The proceeds of the quality assurance fee set forth in  
11 section 5 of this act, the matching amount provided by the federal  
12 government, and any interest earned on those proceeds shall be used  
13 to supplement, and not to supplant, existing funding for emergency  
14 ambulance transports provided by ambulance transport providers  
15 subject to the fee.

16 (4) Notwithstanding any provision of this chapter, the authority  
17 may seek federal approval to implement any add-on increase to the  
18 fee-for-service payment schedule pursuant to this section for any  
19 state fiscal year or years, as applicable, on a time-limited basis  
20 for a fixed program period, as determined by the authority.

21 NEW SECTION. **Sec. 7.** The authority may adopt rules to implement  
22 this chapter.

23 NEW SECTION. **Sec. 8.** (1)(a) The authority shall request any  
24 approval from the federal centers for medicare and medicaid services  
25 it determines are necessary for the use of fees pursuant to this  
26 chapter and for the purpose of receiving associated federal matching  
27 funds.

28 (b) This chapter shall be implemented only to the extent that any  
29 necessary federal approvals are obtained and federal financial  
30 participation is available. The quality assurance fee pursuant to  
31 section 5 of this act shall only be assessed and collected for  
32 quarters in which the add-on pursuant to section 6 of this act is  
33 paid.

34 (2) The authority may modify or make adjustments to any  
35 methodology, fee amount, or other provision specified in this chapter  
36 to the extent necessary to meet the requirements of federal law or  
37 regulations or to obtain federal approval. If the authority, after  
38 consulting with ambulance transport providers subject to the fee,



1 determines that a modification is needed, the authority shall execute  
2 a declaration stating that this determination has been made and that  
3 the actual or projected available fee amount for a state fiscal year  
4 remains approximately equal to the actual or projected aggregate fee  
5 schedule amount for each applicable state fiscal year, as defined by  
6 section 5(2)(c) of this act. The authority shall retain the  
7 declaration and provide a copy, within ten working days of the  
8 execution of the declaration, to the appropriate fiscal and policy  
9 committees of the legislature.

10 NEW SECTION. **Sec. 9.** If there is a delay in the implementation  
11 of this chapter for any reason, including a delay in any required  
12 approval of the quality assurance fee and reimbursement methodology  
13 specified by the federal centers for medicare and medicaid services,  
14 the following shall apply:

15 (1) An ambulance transport provider subject to the fee may be  
16 assessed the amount the provider would be required to pay to the  
17 authority if the add-on increase to the fee-for-service payment  
18 schedule described in section 5(2)(c) of this act were already  
19 approved, but shall not be required to pay the fee until the add-on  
20 increase to the fee-for-service payment schedule described in section  
21 6 of this act is approved. The authority shall establish a schedule  
22 for payment of retroactive fees pursuant to this subsection in  
23 consultation with ambulance transport providers subject to the fee to  
24 minimize the disruption to the cash flow of ambulance transport  
25 providers subject to the fee.

26 (2) The authority may retroactively implement the add-on increase  
27 to the fee-for-service payment schedule pursuant to section 6 of this  
28 act to the extent the authority determines that federal financial  
29 participation is available.

30 NEW SECTION. **Sec. 10.** (1) The assessment, collection, and  
31 disbursement of funds under this chapter shall be conditional upon:

32 (a) The federal centers for medicare and medicaid services not  
33 determining that the quality assurance fee revenues may not be used  
34 for the purposes set forth in this chapter;

35 (b) The state not reducing its fee-for-service payment schedule  
36 for emergency ambulance transports provided by ambulance transport  
37 providers subject to the fee;

1 (c) The state not delegating responsibility to pay for emergency  
2 ambulance transports to a managed care organization, prepaid  
3 inpatient health plan, or prepaid ambulatory health plan, as those  
4 terms are defined in 42 C.F.R. Sec. 438.2;

5 (d) Federal financial participation being available and not  
6 otherwise jeopardized; and

7 (e) The program not prohibiting, diminishing, or harming the  
8 ground emergency medical transportation services reimbursement  
9 program described in RCW 41.05.730.

10 (2) This chapter ceases to be operative on the first day of the  
11 state fiscal year beginning on or after the date one or more of the  
12 following conditions is satisfied:

13 (a) The federal centers for medicare and medicaid services no  
14 longer allows the collection or use of the ambulance transport  
15 provider assessment provided in this chapter;

16 (b) The increase to the medicaid payments described in section 6  
17 of this act no longer remains in effect;

18 (c) The quality assurance fee assessed and collected pursuant to  
19 this chapter is no longer available for the purposes specified in  
20 this chapter;

21 (d) A final judicial determination made by any state or federal  
22 court that is not appealed, or by a court of appellate jurisdiction  
23 that is not further appealed, in any action by any party, or a final  
24 determination by the administrator of the federal centers for  
25 medicare and medicaid services that is not appealed, that federal  
26 financial participation is not available with respect to any payment  
27 made under the methodology implemented pursuant to this chapter;

28 (e) The state reduces its fee-for-service payment schedule for  
29 emergency ambulance transports provided by ambulance transport  
30 providers subject to the fee;

31 (f) The state delegates responsibility to pay for emergency  
32 ambulance transports to a managed care organization, prepaid  
33 inpatient health plan, or prepaid ambulatory health plan, as those  
34 terms are defined in 42 C.F.R. Sec. 438.2; and

35 (g) The program prohibiting, diminishing, or harming the ground  
36 emergency medical transportation services reimbursement program  
37 described in RCW 41.05.730.

38 (3) In the event one or more of the conditions listed in  
39 subsection (2) of this section is satisfied, the authority shall  
40 notify, in writing and as soon as practicable, the secretary of

1 state, the secretary of the senate, the chief clerk of the house of  
2 representatives, the appropriate fiscal and policy committees of the  
3 legislature, and the code reviser's office of the condition and the  
4 approximate date or dates that it occurred. The authority shall post  
5 the notice on the authority's web site.

6 (4) (a) Notwithstanding any other law, in the event this chapter  
7 becomes inoperative pursuant to subsection (2) of this section, the  
8 authority shall be authorized to conduct all appropriate close-out  
9 activities and implement applicable provisions of this chapter for  
10 prior state fiscal years during which this chapter was operative  
11 including, but not limited to, the collection of outstanding quality  
12 assurance fees pursuant to section 5 of this act and payments  
13 associated with any add-on increase to the medicaid fee-for-service  
14 payment schedule pursuant to section 6 of this act. In implementing  
15 these close-out activities, the authority shall ensure that the  
16 actual or projected available fee amount for each applicable state  
17 fiscal year remains approximately equal to the aggregate fee schedule  
18 amount for the state fiscal year, as defined by section 5(2)(c) of  
19 this act. During this close-out period, the full amount of the  
20 quality assurance fee assessed and collected remains available only  
21 for the purposes specified in this chapter.

22 (b) Upon a determination by the authority that all appropriate  
23 close-out and implementation activities pursuant to (a) of this  
24 subsection have been completed, the authority shall notify, in  
25 writing, the secretary of state, the secretary of the senate, the  
26 chief clerk of the house of representatives, the appropriate fiscal  
27 and policy committees of the legislature, and the code reviser's  
28 office of that determination. This chapter shall expire as of the  
29 effective date of the notification issued by the authority pursuant  
30 to this subsection.

31 **Sec. 11.** RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14,  
32 2019 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 are each  
33 reenacted and amended to read as follows:

34 (1) All earnings of investments of surplus balances in the state  
35 treasury shall be deposited to the treasury income account, which  
36 account is hereby established in the state treasury.

37 (2) The treasury income account shall be utilized to pay or  
38 receive funds associated with federal programs as required by the  
39 federal cash management improvement act of 1990. The treasury income

1 account is subject in all respects to chapter 43.88 RCW, but no  
2 appropriation is required for refunds or allocations of interest  
3 earnings required by the cash management improvement act. Refunds of  
4 interest to the federal treasury required under the cash management  
5 improvement act fall under RCW 43.88.180 and shall not require  
6 appropriation. The office of financial management shall determine the  
7 amounts due to or from the federal government pursuant to the cash  
8 management improvement act. The office of financial management may  
9 direct transfers of funds between accounts as deemed necessary to  
10 implement the provisions of the cash management improvement act, and  
11 this subsection. Refunds or allocations shall occur prior to the  
12 distributions of earnings set forth in subsection (4) of this  
13 section.

14 (3) Except for the provisions of RCW 43.84.160, the treasury  
15 income account may be utilized for the payment of purchased banking  
16 services on behalf of treasury funds including, but not limited to,  
17 depository, safekeeping, and disbursement functions for the state  
18 treasury and affected state agencies. The treasury income account is  
19 subject in all respects to chapter 43.88 RCW, but no appropriation is  
20 required for payments to financial institutions. Payments shall occur  
21 prior to distribution of earnings set forth in subsection (4) of this  
22 section.

23 (4) Monthly, the state treasurer shall distribute the earnings  
24 credited to the treasury income account. The state treasurer shall  
25 credit the general fund with all the earnings credited to the  
26 treasury income account except:

27 (a) The following accounts and funds shall receive their  
28 proportionate share of earnings based upon each account's and fund's  
29 average daily balance for the period: The abandoned recreational  
30 vehicle disposal account, the aeronautics account, the aircraft  
31 search and rescue account, the Alaskan Way viaduct replacement  
32 project account, the ambulance transport fund, the brownfield  
33 redevelopment trust fund account, the budget stabilization account,  
34 the capital vessel replacement account, the capitol building  
35 construction account, the Cedar River channel construction and  
36 operation account, the Central Washington University capital projects  
37 account, the charitable, educational, penal and reformatory  
38 institutions account, the Chehalis basin account, the cleanup  
39 settlement account, the Columbia river basin water supply development  
40 account, the Columbia river basin taxable bond water supply

1 development account, the Columbia river basin water supply revenue  
2 recovery account, the common school construction fund, the community  
3 forest trust account, the connecting Washington account, the county  
4 arterial preservation account, the county criminal justice assistance  
5 account, the deferred compensation administrative account, the  
6 deferred compensation principal account, the department of licensing  
7 services account, the department of licensing tuition recovery trust  
8 fund, the department of retirement systems expense account, the  
9 developmental disabilities community trust account, the diesel idle  
10 reduction account, the drinking water assistance account, the  
11 drinking water assistance administrative account, the early learning  
12 facilities development account, the early learning facilities  
13 revolving account, the Eastern Washington University capital projects  
14 account, the education construction fund, the education legacy trust  
15 account, the election account, the electric vehicle account, the  
16 energy freedom account, the energy recovery act account, the  
17 essential rail assistance account, The Evergreen State College  
18 capital projects account, the federal forest revolving account, the  
19 ferry bond retirement fund, the freight mobility investment account,  
20 the freight mobility multimodal account, the grade crossing  
21 protective fund, the public health services account, the state higher  
22 education construction account, the higher education construction  
23 account, the highway bond retirement fund, the highway infrastructure  
24 account, the highway safety fund, the hospital safety net assessment  
25 fund, the industrial insurance premium refund account, the Interstate  
26 405 and state route number 167 express toll lanes account, the  
27 judges' retirement account, the judicial retirement administrative  
28 account, the judicial retirement principal account, the local  
29 leasehold excise tax account, the local real estate excise tax  
30 account, the local sales and use tax account, the marine resources  
31 stewardship trust account, the medical aid account, the mobile home  
32 park relocation fund, the money-purchase retirement savings  
33 administrative account, the money-purchase retirement savings  
34 principal account, the motor vehicle fund, the motorcycle safety  
35 education account, the multimodal transportation account, the  
36 multiuse roadway safety account, the municipal criminal justice  
37 assistance account, the natural resources deposit account, the oyster  
38 reserve land account, the pension funding stabilization account, the  
39 perpetual surveillance and maintenance account, the pollution  
40 liability insurance agency underground storage tank revolving

1 account, the public employees' retirement system plan 1 account, the  
2 public employees' retirement system combined plan 2 and plan 3  
3 account, the public facilities construction loan revolving account  
4 beginning July 1, 2004, the public health supplemental account, the  
5 public works assistance account, the Puget Sound capital construction  
6 account, the Puget Sound ferry operations account, the Puget Sound  
7 Gateway facility account, the Puget Sound taxpayer accountability  
8 account, the real estate appraiser commission account, the  
9 recreational vehicle account, the regional mobility grant program  
10 account, the resource management cost account, the rural arterial  
11 trust account, the rural mobility grant program account, the rural  
12 Washington loan fund, the sexual assault prevention and response  
13 account, the site closure account, the skilled nursing facility  
14 safety net trust fund, the small city pavement and sidewalk account,  
15 the special category C account, the special wildlife account, the  
16 state employees' insurance account, the state employees' insurance  
17 reserve account, the state investment board expense account, the  
18 state investment board commingled trust fund accounts, the state  
19 patrol highway account, the state route number 520 civil penalties  
20 account, the state route number 520 corridor account, the state  
21 wildlife account, the statewide broadband account, the statewide  
22 tourism marketing account, the student achievement council tuition  
23 recovery trust fund, the supplemental pension account, the Tacoma  
24 Narrows toll bridge account, the teachers' retirement system plan 1  
25 account, the teachers' retirement system combined plan 2 and plan 3  
26 account, the tobacco prevention and control account, the tobacco  
27 settlement account, the toll facility bond retirement account, the  
28 transportation 2003 account (nickel account), the transportation  
29 equipment fund, the transportation future funding program account,  
30 the transportation improvement account, the transportation  
31 improvement board bond retirement account, the transportation  
32 infrastructure account, the transportation partnership account, the  
33 traumatic brain injury account, the tuition recovery trust fund, the  
34 University of Washington bond retirement fund, the University of  
35 Washington building account, the voluntary cleanup account, the  
36 volunteer firefighters' and reserve officers' relief and pension  
37 principal fund, the volunteer firefighters' and reserve officers'  
38 administrative fund, the vulnerable roadway user education account,  
39 the Washington judicial retirement system account, the Washington law  
40 enforcement officers' and firefighters' system plan 1 retirement

1 account, the Washington law enforcement officers' and firefighters'  
2 system plan 2 retirement account, the Washington public safety  
3 employees' plan 2 retirement account, the Washington school  
4 employees' retirement system combined plan 2 and 3 account, the  
5 Washington state health insurance pool account, the Washington state  
6 patrol retirement account, the Washington State University building  
7 account, the Washington State University bond retirement fund, the  
8 water pollution control revolving administration account, the water  
9 pollution control revolving fund, the Western Washington University  
10 capital projects account, the Yakima integrated plan implementation  
11 account, the Yakima integrated plan implementation revenue recovery  
12 account, and the Yakima integrated plan implementation taxable bond  
13 account. Earnings derived from investing balances of the agricultural  
14 permanent fund, the normal school permanent fund, the permanent  
15 common school fund, the scientific permanent fund, the state  
16 university permanent fund, and the state reclamation revolving  
17 account shall be allocated to their respective beneficiary accounts.

18 (b) Any state agency that has independent authority over accounts  
19 or funds not statutorily required to be held in the state treasury  
20 that deposits funds into a fund or account in the state treasury  
21 pursuant to an agreement with the office of the state treasurer shall  
22 receive its proportionate share of earnings based upon each account's  
23 or fund's average daily balance for the period.

24 (5) In conformance with Article II, section 37 of the state  
25 Constitution, no treasury accounts or funds shall be allocated  
26 earnings without the specific affirmative directive of this section.

27 NEW SECTION. **Sec. 12.** Sections 1 through 10 and 13 of this act  
28 constitute a new chapter in Title 74 RCW.

29 NEW SECTION. **Sec. 13.** This act expires July 1, 2024.

30 NEW SECTION. **Sec. 14.** This act is necessary for the immediate  
31 preservation of the public peace, health, or safety, or support of  
32 the state government and its existing public institutions, and takes  
33 effect immediately.

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