

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6097**

Chapter 247, Laws of 2020

66th Legislature  
2020 Regular Session

HEALTH CARRIER RATE FILING REVIEW--SURPLUS, CAPITAL, AND PROFIT  
LEVELS

EFFECTIVE DATE: June 11, 2020

Passed by the Senate March 10, 2020  
Yeas 37 Nays 12

CYRUS HABIB

**President of the Senate**

Passed by the House March 5, 2020  
Yeas 83 Nays 14

Laurie Jinkins

**Speaker of the House of  
Representatives**

Approved March 31, 2020 11:09 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6097** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

**Secretary**

FILED

March 31, 2020

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 6097**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

**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)

READ FIRST TIME 02/06/20.

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

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

6            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 48.43  
7 RCW to read as follows:

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

13            (2) In reviewing the surplus, capital, or profit levels, the  
14 commissioner must take into consideration the current capital  
15 facility needs for carriers, including those maintaining and  
16 operating hospital and clinical facilities.

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

1           (4) Nothing in this section affects the requirement that all  
2 approved individual and small group rates be actuarially sound  
3 according to chapter 48.19, 48.44, or 48.46 RCW.

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

Passed by the Senate March 10, 2020.

Passed by the House March 5, 2020.

Approved by the Governor March 31, 2020.

Filed in Office of Secretary of State March 31, 2020.

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