

ESB 5632 - H COMM AMD

By Committee on Labor & Workplace Standards

ADOPTED 02/28/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.71
4 RCW to read as follows:

5 (1) By January 1, 2025, the exchange must establish a worker
6 health plan access program to help Washingtonians who lose health
7 care coverage provided by their employer or a joint labor management
8 trust as a result of an active strike, lockout, or other labor
9 dispute.

10 (2) Subject to the availability of funding, the exchange must
11 provide enrollment assistance to help maintain coverage for
12 individuals and their dependents who:

13 (a) Provide a self-attestation regarding loss of minimum
14 essential health care coverage from an employer or joint labor
15 management trust fund as a result of an active strike, lockout, or
16 other labor dispute; and

17 (b) Are eligible for coverage offered through the exchange.

18 (3) The exchange may request, and an applicable employer, labor
19 organization, or other appropriate representative, must provide,
20 information to determine the status of a strike, lockout, or labor
21 dispute, its impact to coverage, and any other information determined
22 by the exchange as necessary to conduct outreach and determine
23 eligibility for federal and state subsidies offered through the
24 exchange.

25 (4) The exchange must establish a process for providing outreach
26 and enrollment assistance, and may establish additional procedural
27 requirements to administer the program established in subsection (1)
28 of this section.

29 NEW SECTION. **Sec. 2.** This act may be known and cited as the
30 worker health care protection act."

1 Correct the title.

EFFECT: • Streamlines the language and removes provisions related to qualifications and financial assistance that are no longer relevant.

• Codifies the provision under the Washington Health Benefit Exchange (HBE), rather than under the chapter governing employee benefit plans.

• Makes the requirement subject to available funds, rather than subject to amounts specifically appropriated for the purposes of the bill.

• Removes provisions specifying conditions that must be met in order to receive enrollment assistance, and instead requires the HBE to provide enrollment assistance to individuals who provide a self-attestation and who are eligible for coverage offered through the exchange.

• Provides that the HBE may request information to conduct outreach and determine eligibility for "federal and state subsidies" rather than eligibility for "financial assistance" offered through the exchange.

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