

**WAC 200-160-050 Standards for operation—Providing services to nonmembers.** (1) Nonmembers may purchase ongoing services through agreement or contract as permitted by the laws of this state and other states. Nonmembers shall not participate in any coverages of the joint self-insurance program including the self-insured retention layer and the excess insurance or reinsurance layer. This section is not intended to preclude nonmembers purchasing services from becoming members of the joint self-insurance program, provided the nonmember meets the requirements of WAC 200-160-020(17) and is eligible for membership as authorized by chapter 48.190 RCW.

(2) A program intending to provide ongoing services to nonmembers shall submit a written plan to the state risk manager for approval prior to providing services. The plan shall include, at a minimum, the services to be provided, the time frame for providing such services, the expected revenues and expenditures resulting from providing said services, and a written analysis of all potential federal and state tax liabilities created by providing services to nonmembers. The arrangement to provide ongoing services shall be approved in writing by the state risk manager within sixty days of the joint self-insurance program's final plan submission.

(3) Joint self-insurance programs may provide incidental or occasional services to nonmember public benefit hospitals at no charge when there is a monetary or nonmonetary benefit to members and nonmembers in providing the incidental or occasional services.

(4) Every joint self-insurance program providing ongoing services as of the effective date of these regulations must submit a written plan meeting the requirements stated herein.

[Statutory Authority: RCW 48.190.040 and 43.19.011. WSR 18-09-086, § 200-160-050, filed 4/17/18, effective 5/18/18.]