<u>**EHB 1566**</u> - S COMM AMD
    By Committee on Financial Institutions, Housing & Insurance

ADOPTED 04/08/2009

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

3   "**Sec. 1.** RCW 48.02.060 and 1947 c 79 s .02.06 are each amended to
4 read as follows:
5   (1) The commissioner ((shall have)) <u>has</u> the authority expressly
6 conferred upon him <u>or her</u> by or reasonably implied from the provisions
7 of this code.
8   (2) The commissioner shall execute his <u>or her</u> duties and shall
9 enforce the provisions of this code.
10   (3) The commissioner may:
11   (a) Make reasonable rules ((and regulations)) for effectuating any
12 provision of this code, except those relating to his <u>or her</u> election,
13 qualifications, or compensation. ((No such)) <u>Rules</u> ((and regulations
14 shall be)) <u>are not</u> effective prior to their being filed for public
15 inspection in the commissioner's office.
16   (b) Conduct investigations to determine whether any person has
17 violated any provision of this code.
18   (c) Conduct examinations, investigations, hearings, in addition to
19 those specifically provided for, useful and proper for the efficient
20 administration of any provision of this code.
21   <u>(4) When the governor proclaims a state of emergency under RCW</u>
22 <u>43.06.010(12), the commissioner may issue an order that addresses any</u>
23 <u>or all of the following matters related to insurance policies issued in</u>
24 <u>this state:</u>
25   <u>(a) Reporting requirements for claims;</u>
26   <u>(b) Grace periods for payment of insurance premiums and performance</u>
27 <u>of other duties by insureds;</u>
28   <u>(c) Temporary postponement of cancellations and renewals; and</u>
29   <u>(d) Medical coverage to ensure access to care.</u>

1   (5) An order by the commissioner under subsection (4) of this
2   section may remain effective for not more than sixty days unless the
3   commissioner extends the termination date for the order for an
4   additional period of not more than thirty days. The commissioner may
5   extend the order if, in the commissioner's judgment, the circumstances
6   warrant an extension. An order of the commissioner under subsection
7   (4) of this section is not effective after the related state of
8   emergency is terminated by proclamation of the governor under RCW
9   43.06.210. The order must specify, by line of insurance:
10   (a) The geographic areas in which the order applies, which must be
11   within but may be less extensive than the geographic area specified in
12   the governor's proclamation of a state of emergency and must be
13   specific according to an appropriate means of delineation, such as the
14   United States postal service zip codes or other appropriate means; and
15   (b) The date on which the order becomes effective and the date on
16   which the order terminates.
17   (6) The commissioner may adopt rules that establish general
18   criteria for orders issued under subsection (4) of this section and may
19   adopt emergency rules applicable to a specific proclamation of a state
20   of emergency by the governor.
21   (7) The rule-making authority set forth in subsection (6) of this
22   section does not limit or affect the rule-making authority otherwise
23   granted to the commissioner by law."

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24   On page 1, line 2 of the title, after "emergency;" strike the
25   remainder of the title and insert "and amending RCW 48.02.060."

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