

**ESB 5274 - H AMD 653**

By Representative Riccelli

**ADOPTED 04/12/2019**

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) The legislature recognized the important relationship between  
5 the citizens of the compact of free association (COFA) nations and  
6 the United States by enacting the COFA premium assistance program in  
7 2018 to pay for premiums and out-of-pocket expenses for COFA citizens  
8 who purchase qualifying health coverage;

9 (b) While other Washingtonians who are income-eligible for  
10 medicaid receive dental coverage through apple health, individuals  
11 enrolled in the COFA premium assistance program do not currently have  
12 affordable access to dental coverage;

13 (c) Affordable access to dental care, including preventative  
14 care, is critical to treating the whole body health of an individual  
15 and preventing systemic health problems such as stroke, heart attack,  
16 and diabetes. Poor oral health is also associated with a wide range  
17 of hardships including difficulty obtaining employment, work absences  
18 due to pain, and decreased productivity; and

19 (d) Research shows that people living in households in which the  
20 primary language spoken at home is not English, seniors, people with  
21 disabilities, and people who identify as Native Hawaiian or Pacific  
22 Islanders are disproportionately impacted by oral health inequities.

23 (2) The legislature therefore intends to increase access to  
24 dental services for COFA islanders residing in Washington by  
25 establishing a dental services program that provides dental coverage  
26 to income-eligible members of this population.

27 **Sec. 2.** RCW 43.71A.020 and 2018 c 161 s 3 are each amended to  
28 read as follows:

29 (1) An individual is eligible for the COFA premium assistance  
30 program if the individual:

31 (a) Is a resident;

1 (b) Is a COFA citizen;  
2 (c) Enrolls in a silver qualified health plan;  
3 (d) Has income that is less than one hundred thirty-three percent  
4 of the federal poverty level; and

5 (e) Is ineligible for a federal or state medical assistance  
6 program administered by the authority under chapter 74.09 RCW.

7 (2) Subject to the availability of amounts appropriated for this  
8 specific purpose, the authority shall pay the premium cost for a  
9 qualified health plan and the out-of-pocket costs for the coverage  
10 provided by the plan for an individual who is eligible for the  
11 premium assistance program under subsection (1) of this section.

12 (3) The authority may disqualify a participant from the program  
13 if the participant:

14 (a) No longer meets the eligibility criteria in subsection (1) of  
15 this section;

16 (b) Fails, without good cause, to comply with procedural or  
17 documentation requirements established by the authority in accordance  
18 with subsection (4) of this section;

19 (c) Fails, without good cause, to notify the authority of a  
20 change of address in a timely manner;

21 (d) Withdraws the participant's application or requests  
22 termination of coverage; or

23 (e) Performs an act, practice, or omission that constitutes  
24 fraud, and, as a result, an insurer rescinds the participant's policy  
25 for the qualified health plan.

26 (4) The authority shall establish:

27 (a) Application, enrollment, and renewal processes for the COFA  
28 premium assistance program;

29 (b) The qualified health plans that are eligible for  
30 reimbursement under the program;

31 (c) Procedural requirements for continued participation in the  
32 program, including participant documentation requirements that are  
33 necessary for the authority to administer the program; and

34 (d) Open enrollment periods and special enrollment periods  
35 consistent with the enrollment periods for the health ((insurance  
36 [health benefit])) benefit exchange(;~~and~~

37 ~~(e) A comprehensive community education and outreach campaign,~~  
38 ~~working with stakeholder and community organizations, to facilitate~~  
39 ~~applications for, and enrollment in, the program. Subject to the~~  
40 ~~availability of amounts appropriated for this specific purpose, the~~

1 education and outreach program shall provide culturally and  
2 linguistically accessible information to facilitate participation in  
3 the program, including but not limited to enrollment procedures,  
4 benefit utilization, and patient responsibilities.

5 ~~(5) The community education and outreach campaign conducted by~~  
6 ~~the authority must begin no later than September 1, 2018)).~~

7 ((+6)) (5) The first open enrollment period for the COFA premium  
8 assistance program must begin no later than November 1, 2018.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.71A  
10 RCW to read as follows:

11 The authority, in consultation with the Washington state  
12 commission on Asian Pacific American affairs, shall establish an  
13 annual comprehensive community education and outreach program to COFA  
14 citizens, including contracting with a Washington organization that  
15 has multilingual language capacity, and working with stakeholder and  
16 community organizations, to facilitate applications for, and  
17 enrollment in, the COFA premium assistance and dental care programs.  
18 Subject to the availability of amounts appropriated for this specific  
19 purpose, the education and outreach program shall provide culturally  
20 and linguistically accessible information to facilitate participation  
21 in the programs, including but not limited to enrollment procedures,  
22 benefit utilization, and patient responsibilities.

23 NEW SECTION. **Sec. 4.** A new section is added to chapter 74.09  
24 RCW to read as follows:

25 (1) The COFA islander dental care program is established to  
26 provide dental services to COFA citizens who meet the requirements in  
27 subsection (2) of this section. The authority shall begin  
28 administering this program by January 1, 2020.

29 (2) Subject to the availability of amounts appropriated for this  
30 specific purpose, the program shall provide dental services as  
31 covered under RCW 74.09.520 to an individual who is eligible for the  
32 COFA premium assistance program under RCW 43.71A.020, or:

33 (a) Is a resident;

34 (b) Is a COFA citizen;

35 (c) Has income that is less than one hundred thirty-three percent  
36 of the federal poverty level; and

37 (d) Is enrolled in medicare coverage under Title XVIII of the  
38 social security act (42 U.S.C. Sec. 1395 et seq., as amended).

1 (3) The authority may disqualify a participant from the program  
2 if the participant:

3 (a) No longer meets the eligibility criteria in subsection (2) of  
4 this section;

5 (b) Fails, without good cause, to comply with procedural or  
6 documentation requirements established by the authority in accordance  
7 with subsection (4) of this section;

8 (c) Fails, without good cause, to notify the authority of a  
9 change of address in a timely manner; or

10 (d) Withdraws the participant's application or requests  
11 termination of coverage.

12 (4) The authority shall establish:

13 (a) Application, enrollment, and renewal processes for the COFA  
14 islander dental care program; and

15 (b) Procedural requirements for continued participation in the  
16 program, including participant documentation requirements that are  
17 necessary for the authority to administer the program.

18 (5) For the purposes of this section, "COFA citizen" has the same  
19 meaning as in RCW 43.71A.010.

20 **Sec. 5.** RCW 43.71A.800 and 2018 c 161 s 4 are each amended to  
21 read as follows:

22 The authority shall appoint an advisory committee that includes,  
23 but is not limited to, insurers and representatives of communities of  
24 COFA citizens. The committee shall advise the authority in the  
25 development, implementation, and operation of the COFA premium  
26 assistance program established in this chapter and the COFA islander  
27 dental care program established in section 4 of this act. The  
28 advisory committee must exist until at least December 31, ((2019))  
29 2021. ((Subject to the availability of amounts appropriated for this  
30 specific purpose,)) Advisory committee members may be reimbursed for  
31 transportation and travel expenses related to serving on the  
32 committee, as needed.

33 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of  
35 the state government and its existing public institutions, and takes  
36 effect immediately."

37 Correct the title.

EFFECT: Removes the provisions related to the enrollment of certain Compact of Free Association (COFA) citizens in qualified dental programs offered by the Health Benefit Exchange and instead requires the Health Care Authority to provide dental services as covered under the Medical Assistance program to certain COFA citizens. Extends the COFA premium payment and dental program advisory committee for an additional year.

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