

ESSB 6097 - H COMM AMD

By Committee on Health Care & Wellness

ADOPTED 03/05/2020

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43
4 RCW to read as follows:

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

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

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

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

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

21 Correct the title.

EFFECT: Clarifies that the Insurance Commissioner's authority to consider a carrier's surplus, capital, or profit levels applies to all individual and small group market filings, instead of only for nonprofit insurers. Removes the requirement that the Insurance Commissioner take into consideration whether a carrier's insurance holding company system offers a qualified health plan in every county of the state.

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