**1733-S.E AMS WAGO S3996.1 - NOT FOR FLOOR USE**

**ESHB 1733** - S AMD **971**

By Senator Wagoner

**NOT ADOPTED 01/26/2022**

On page 2, after line 38, insert the following:

"**Sec.**  RCW 50B.04.085 and 2021 c 113 s 5 are each amended to read as follows:

(1) An employee who attests that the employee has long-term care insurance purchased before ((~~November 1, 2021~~)) February 1, 2023, may apply for an exemption from the premium assessment under RCW 50B.04.080. An exempt employee may not become a qualified individual or eligible beneficiary and is permanently ineligible for coverage under this title.

(2)(a) The employment security department must accept applications for exemptions only from October 1, 2021, through December 31, ((~~2022~~)) 2023.

(b) Only employees who are eighteen years of age or older may apply for an exemption.

(3) The employment security department is not required to verify the attestation of an employee that the employee has long-term care insurance.

(4) Approved exemptions will take effect on the first day of the quarter immediately following the approval of the exemption.

(5) Exempt employees are not entitled to a refund of any premium deductions made before the effective date of an approved exemption.

(6) An exempt employee must provide written notification to all current and future employers of an approved exemption.

(7) If an exempt employee fails to notify an employer of an exemption, the exempt employee is not entitled to a refund of any premium deductions made before notification is provided.

(8) Employers must not deduct premiums after being notified by an employee of an approved exemption.

(a) Employers must retain written notifications of exemptions received from employees.

(b) An employer who deducts premiums after being notified by the employee of an exemption is solely responsible for refunding to the employee any premiums deducted after the notification.

(c) The employer is not entitled to a refund from the employment security department for any premiums remitted to the employment security department that were deducted from exempt employees.

(9) The department must adopt rules necessary to implement and administer the activities specified in this section related to the program, including rules on the submission and processing of applications under this section."

Renumber the remaining sections consecutively and correct any internal references accordingly.

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On page 1, line 1 of the title, after "Relating to" strike "establishing"

On page 1, beginning on line 2 of the title, after "program" strike all material through "report" on line 4

On page 1, line 9 of the title, after "visa" insert "and extending the application for the long-term care insurance exemption"

On page 1, line 9 of the title, after "50B.04.080" insert ", 50B.04.085,"

EFFECT: Establishes a long-term care insurance opt-out period for those who have attested to purchasing long-term care insurance by February 1, 2023. The Employment Security Department is required to accept applications for the long-term care insurance exemption from the program from October 1, 2021, through December 1, 2023.