
SENATE BILL 5672

State of Washington

67th Legislature

2022 Regular Session

By Senators Braun, Brown, Dozier, Fortunato, Honeyford, Mullet, Padden, Rivers, Short, Wagoner, Warnick, and L. Wilson

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to long-term services and supports trust premium
2 refunds for deceased individuals with developmentally disabled
3 dependents; and amending RCW 50B.04.080.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 50B.04.080 and 2020 c 98 s 4 are each amended to
6 read as follows:

7 (1) Beginning January 1, 2022, the employment security department
8 shall assess for each individual in employment with an employer a
9 premium based on the amount of the individual's wages. The initial
10 premium rate is fifty-eight hundredths of one percent of the
11 individual's wages. Beginning January 1, 2024, and biennially
12 thereafter, the premium rate shall be set by the pension funding
13 council at a rate no greater than fifty-eight hundredths of one
14 percent. In addition, the pension funding council must set the
15 premium rate at the lowest amount necessary to maintain the actuarial
16 solvency of the long-term services and supports trust account created
17 in RCW 50B.04.100 in accordance with recognized insurance principles
18 and designed to attempt to limit fluctuations in the premium rate. To
19 facilitate the premium rate setting the office of the state actuary
20 must perform a biennial actuarial audit and valuation of the fund and
21 make recommendations to the pension funding council.

1 (2) (a) The employer must collect from the employees the premiums
2 provided under this section through payroll deductions and remit the
3 amounts collected to the employment security department.

4 (b) In collecting employee premiums through payroll deductions,
5 the employer shall act as the agent of the employees and shall remit
6 the amounts to the employment security department as required by this
7 chapter.

8 (3) Nothing in this chapter requires any party to a collective
9 bargaining agreement in existence on October 19, 2017, to reopen
10 negotiations of the agreement or to apply any of the responsibilities
11 under this chapter unless and until the existing agreement is
12 reopened or renegotiated by the parties or expires.

13 (4) (a) Premiums shall be collected in the manner and at such
14 intervals as provided in this chapter and directed by the employment
15 security department.

16 (b) To the extent feasible, the employment security department
17 shall use the premium assessment, collection, and reporting
18 procedures in Title 50A RCW.

19 (5) The employment security department shall deposit all premiums
20 collected in this section in the long-term services and supports
21 trust account created in RCW 50B.04.100.

22 (6) Premiums collected in this section are placed in the trust
23 account for the individuals who become eligible for the program.

24 (7) If the premiums established in this section are increased,
25 the legislature shall notify each qualified individual by mail that
26 the person's premiums have been increased, describe the reason for
27 increasing the premiums, and describe the plan for restoring the
28 funds so that premiums are returned to fifty-eight hundredths of one
29 percent of the individual's wages.

30 (8) A refund of premiums must be provided for a deceased
31 qualified individual with a dependent who is an individual with a
32 developmental disability who is dependent for support from the
33 qualified individual. The qualified individual must not have been
34 determined to be an eligible beneficiary by the department of social
35 and health services. The refund shall be deposited into an individual
36 trust account within the developmental disabilities endowment trust
37 fund for the benefit of the dependent with a developmental
38 disability.

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