S-0979.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5632**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Keiser, Cleveland, Conway, Hasegawa, Hunt, Kuderer, Lovelett, Stanford, Valdez, and C. Wilson

AN ACT Relating to protecting the health care of workers exercising their right to participate in a labor dispute; adding a new section to chapter 49.64 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  A new section is added to chapter 49.64 RCW to read as follows:

(1) By January 1, 2024, the health benefit exchange created under chapter 43.71 RCW must administer a worker health care premium assistance program to help Washingtonians who lose employer-provided health care coverage as a result of a labor dispute.

(2) Subject to the availability of state funding appropriated for this specific purpose, a worker is eligible for the program created in subsection (1) of this section if the individual:

(a) Provides a self-attestation regarding loss of minimum essential health care coverage from an employer or joint labor management trust fund as a result of a strike, lockout, or other labor dispute;

(b) Enrolls in a silver standardized health care plan under RCW 43.71.095;

(c) Applies for and accepts all federal advance premium tax credits for which the individual may be eligible before receiving any state premium assistance;

(d) Is ineligible for minimum essential coverage through medicare, a federal or state medical assistance program administered by the health care authority under chapter 74.09 RCW, or for premium assistance under RCW 43.71A.020; and

(e) Is otherwise eligible to purchase a qualified health plan through the health benefit exchange.

(3) Subject to the state funding appropriated for this act, the health benefit exchange must pay the total premium for individuals eligible for the worker health care premium assistance program created by this section, after all applicable federal and state subsidies are applied.

(4) The health benefit exchange may disqualify a participant from the program if the participant:

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

(b) Fails, without good cause, to comply with procedural or documentation requirements established by the health benefit exchange in accordance with subsection (5) of this section;

(c) Fails, without good cause, to notify the health benefit exchange of a change of address in a timely manner;

(d) Voluntarily withdraws from the program; or

(e) Performs an act, practice, or omission that constitutes fraud.

(5) The health benefit exchange must establish:

(a) Procedural requirements for eligibility and continued participation in any worker health care premium assistance program under this section, including participant documentation requirements that are necessary to administer the program; and

(b) Procedural requirements for facilitating payments to and from carriers.

NEW SECTION. **Sec.**  This act may be known and cited as the worker health care protection act.

**--- END ---**