

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1566

Chapter 335, Laws of 2009

61st Legislature
2009 Regular Session

STATE OF EMERGENCY--INSURANCE COMMISSIONER AUTHORITY

EFFECTIVE DATE: 07/26/09

Passed by the House April 18, 2009
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 8, 2009
Yeas 45 Nays 2

BRAD OWEN

President of the Senate

Approved May 5, 2009, 2:12 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1566** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 8, 2009

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1566

AS AMENDED BY THE SENATE

Passed Legislature - 2009 Regular Session

State of Washington **61st Legislature** **2009 Regular Session**

By Representatives Kirby, Williams, and Simpson; by request of Insurance Commissioner

Read first time 01/23/09. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to granting the insurance commissioner certain
2 authority when the governor declares a state of emergency; and amending
3 RCW 48.02.060.

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

5 **Sec. 1.** RCW 48.02.060 and 1947 c 79 s .02.06 are each amended to
6 read as follows:

7 (1) The commissioner (~~shall have~~) has the authority expressly
8 conferred upon him or her by or reasonably implied from the provisions
9 of this code.

10 (2) The commissioner shall execute his or her duties and shall
11 enforce the provisions of this code.

12 (3) The commissioner may:

13 (a) Make reasonable rules (~~and regulations~~) for effectuating any
14 provision of this code, except those relating to his or her election,
15 qualifications, or compensation. (~~No such~~) Rules (~~and regulations~~
16 ~~shall be~~) are not effective prior to their being filed for public
17 inspection in the commissioner's office.

18 (b) Conduct investigations to determine whether any person has
19 violated any provision of this code.

1 (c) Conduct examinations, investigations, hearings, in addition to
2 those specifically provided for, useful and proper for the efficient
3 administration of any provision of this code.

4 (4) When the governor proclaims a state of emergency under RCW
5 43.06.010(12), the commissioner may issue an order that addresses any
6 or all of the following matters related to insurance policies issued in
7 this state:

8 (a) Reporting requirements for claims;

9 (b) Grace periods for payment of insurance premiums and performance
10 of other duties by insureds;

11 (c) Temporary postponement of cancellations and renewals; and

12 (d) Medical coverage to ensure access to care.

13 (5) An order by the commissioner under subsection (4) of this
14 section may remain effective for not more than sixty days unless the
15 commissioner extends the termination date for the order for an
16 additional period of not more than thirty days. The commissioner may
17 extend the order if, in the commissioner's judgment, the circumstances
18 warrant an extension. An order of the commissioner under subsection
19 (4) of this section is not effective after the related state of
20 emergency is terminated by proclamation of the governor under RCW
21 43.06.210. The order must specify, by line of insurance:

22 (a) The geographic areas in which the order applies, which must be
23 within but may be less extensive than the geographic area specified in
24 the governor's proclamation of a state of emergency and must be
25 specific according to an appropriate means of delineation, such as the
26 United States postal service zip codes or other appropriate means; and

27 (b) The date on which the order becomes effective and the date on
28 which the order terminates.

29 (6) The commissioner may adopt rules that establish general
30 criteria for orders issued under subsection (4) of this section and may
31 adopt emergency rules applicable to a specific proclamation of a state
32 of emergency by the governor.

33 (7) The rule-making authority set forth in subsection (6) of this
34 section does not limit or affect the rule-making authority otherwise
35 granted to the commissioner by law.

Passed by the House April 18, 2009.

Passed by the Senate April 8, 2009.

Approved by the Governor May 5, 2009.

Filed in Office of Secretary of State May 8, 2009.