

SB 6458 - S AMD 500

By Senators Becker, Pedersen, Sheldon

ADOPTED 02/17/2014

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

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4 "Sec. 1. RCW 48.02.060 and 2010 c 27 s 1 are each amended to read
5 as follows:

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

8 (2) The commissioner must execute his or her duties and must
9 enforce the provisions of this code.

10 (3) The commissioner may:

11 (a) Make reasonable rules for effectuating any provision of this
12 code, except those relating to his or her election, qualifications, or
13 compensation. Rules are not effective prior to their being filed for
14 public inspection in the commissioner's office.

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

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

20 (4) When the governor proclaims a state of emergency under RCW
21 43.06.010(12), the commissioner may issue an order that addresses any
22 or all of the following matters related to insurance policies issued
23 in this state:

24 (a) Reporting requirements for claims;

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

27 (c) Temporary postponement of cancellations and nonrenewals; and

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

2 (5) An order by the commissioner under subsection (4) of this
3 section may remain effective for not more than sixty days unless the
4 commissioner extends the termination date for the order for an
5 additional period of not more than thirty days. The commissioner may
6 extend the order if, in the commissioner's judgment, the circumstances
7 warrant an extension. An order of the commissioner under subsection
8 (4) of this section is not effective after the related state of
9 emergency is terminated by proclamation of the governor under RCW
10 43.06.210. The order must specify, by line of insurance:

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

16 (b) The date on which the order becomes effective and the date on
17 which the order terminates.

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

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

25 (8) In addition to the requirements of the administrative procedure
26 act established in chapter 34.05 RCW, the commissioner must provide
27 notice of proposed rule making on matters related to health care
28 insurance to the health care committees of the legislature, the health
29 benefit exchange established under chapter 43.71 RCW, the health care
30 authority established under chapter 41.05 RCW, and the governor. If
31 any of these parties have concerns or object to the proposed rule
32 making, the health care committee chairs of the legislature may notify
33 the joint administrative rules review committee established in RCW

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1 34.05.610 and request the application of RCW 34.05.620, 34.05.630, and
2 34.05.640.

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8 On page 1, line 1 of the title, after "to" strike the remainder
9 of the title and insert "the office of the insurance commissioner
and matters related to health care insurance; amending RCW
48.02.060."

EFFECT:

- The Insurance Commissioner must provide notice of proposed rule making on matters related to health care insurance to the health care committees of the Legislature, the Health Benefit Exchange, the Health Care Authority, and the Governor.
- If any of the above parties have concerns or object to the proposed rule-making, the health care chairs may notify the Joint Administrative Rules Review Committee and the formal review and objection process be initiated.

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