CERTIFICATION OF ENROLLMENT

SENATE BILL 5216

Chapter 8, Laws of 2013

63rd Legislature
2013 Regular Session

LONG-TERM CARE INSURANCE--DENIALS--PAYMENTS

EFFECTIVE DATE: 07/28/13

Passed by the Senate March 4, 2013
YEAS 49   NAYS 0

__BRAD OWEN__
President of the Senate

Passed by the House April 3, 2013
YEAS 97   NAYS 0

__FRANK CHOPP__
Speaker of the House of Representatives

Certified to me by the Secretary of the Senate and Speaker of the House of Representatives that the attached is SENATE BILL 5216 as passed by the Senate and House of Representatives on the dates hereon set forth.

__HUNTER G. GOODMAN__
Secretary

Approved April 17, 2013, 1:39 p.m.

__JAY INSLEE__
Governor of the State of Washington

Secretary of State
State of Washington

FED
April 17, 2013
AN ACT Relating to long-term care insurance; and amending RCW 48.83.090 and 48.83.170.

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

Sec. 1. RCW 48.83.090 and 2008 c 145 s 10 are each amended to read as follows:

All long-term care denials must be made within thirty days after receipt of a written request made by a policyholder or certificate holder, or his or her representative. All denials of long-term care claims by the issuer must provide a written explanation of the reasons for the denial and make available to the policyholder or certificate holder all information directly related to the denial.

Sec. 2. RCW 48.83.170 and 2008 c 145 s 18 are each amended to read as follows:

(1) The commissioner must adopt rules that include standards for full and fair disclosure setting forth the manner, content, and required disclosures for the sale of long-term care insurance policies, terms of renewability, initial and subsequent conditions of eligibility, nonduplication of coverage provisions, coverage of
dependents, preexisting conditions, termination of insurance, continuation or conversion, probationary periods, limitations, exceptions, reductions, elimination periods, requirements for replacement, recurrent conditions, and definitions of terms. The commissioner must adopt rules establishing loss ratio standards for long-term care insurance policies. The commissioner must adopt rules to promote premium adequacy and to protect policyholders in the event of proposed substantial rate increases, and to establish minimum standards for producer education, marketing practices, producer compensation, producer testing, penalties, and reporting practices for long-term care insurance.

(2) The commissioner ((shall)) must adopt rules establishing standards protecting patient privacy rights, rights to receive confidential health care services, and standards for an issuer's timely review of a claim denial upon request of a covered person.

(3) The commissioner must adopt by rule prompt payment requirements for long-term care insurance. The rules must include a definition of a "claim" and a definition of "clean claim." In adopting the rules the commissioner must consider the prompt payment requirements in long-term care insurance model acts developed by the national association of insurance commissioners.

(4) The commissioner may adopt reasonable rules to effectuate any provision of this chapter in accordance with the requirements of chapter 34.05 RCW.

Passed by the Senate March 4, 2013.
Passed by the House April 3, 2013.
Approved by the Governor April 17, 2013.
Filed in Office of Secretary of State April 17, 2013.