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**ENGROSSED SUBSTITUTE SENATE BILL 6084**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Cleveland, Kuderer, Keiser, Liias, Chase, and Conway)

AN ACT Relating to exploring enforcement of a requirement to maintain minimum essential health care coverage; adding a new section to chapter 48.43 RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  (1) The legislature finds that:

(a) The federal government passed the tax cuts and jobs act, which reduces all penalties for failing to maintain minimum essential health care coverage to zero;

(b) Maintaining minimum essential health care coverage is an integral part of stabilizing the individual health insurance market in the state and ensuring Washington residents have access to affordable health coverage; and

(c) In the 1990s, Washington's individual health insurance market collapsed, partially as a result of revoking the state requirement to maintain minimum essential health care coverage.

(2) It is therefore the intent of the legislature to avoid another collapse of the individual market by proactively exploring options on implementing and enforcing a state-level requirement to maintain minimum essential health care coverage.

NEW SECTION. **Sec.**  A new section is added to chapter 48.43 RCW to read as follows:

(1) A task force on exploring individual mandate enforcement mechanisms is established with the following members:

(a) A representative of the health benefit exchange;

(b) A representative of the health care authority;

(c) A representative of the department of revenue; and

(d) Three members appointed by the commissioner:

(i) A representative of issuers;

(ii) A representative of consumers; and

(iii) A representative of business groups.

(2) The office of the insurance commissioner must convene the task force.

(3) The task force must choose its chair from among its membership.

(4) Meetings of the task force must be open to the public and provide an opportunity for public comment.

(5) The task force must review and analyze the feasibility of different options for state enforcement of the requirement to maintain minimum essential coverage, and must develop recommended options for enforcement. The task force must also review and analyze the feasibility of other options to incentivize the maintenance of minimum essential coverage other than a mandate.

(6) Members of the task force, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(7) By December 1, 2018, and in compliance with RCW 43.01.036, the task force must report its findings to the legislature. The final report must include an overview of the options reviewed by the task force and the recommended options of the task force.

(8) This section expires June 30, 2019.

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