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**SENATE BILL 5517**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Cleveland, Sheldon, Salomon, Bailey, and Hunt

Read first time 01/23/19. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to an ambulance transport quality assurance fee;  
2 reenacting and amending RCW 43.84.092; adding new sections to chapter  
3 43.131 RCW; adding a new chapter to Title 74 RCW; prescribing  
4 penalties; providing a contingent expiration date; providing an  
5 effective date; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the rate to  
8 provide ambulance transports for medicaid recipients has not been  
9 increased since 2004, resulting in a loss for carriers who provide  
10 this service. This has resulted in the shifting of cost of medicaid  
11 transports to other payers.

12 The purpose of this chapter is to provide for a safety net fee  
13 for certain ambulance transports, which will be used to augment  
14 funding from all other sources, thereby supporting additional  
15 payments to ambulance transport providers for medicaid services as  
16 specified in this chapter.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply  
18 throughout this chapter unless the context clearly requires  
19 otherwise.

1 (1) "Aggregate fee schedule increase amount" means the product of  
2 the quotient described in section 6(1) of this act and the ambulance  
3 transports, utilizing the billing codes for ambulance transport for  
4 the state fiscal year.

5 (2) "Ambulance transport" means the act of transporting an  
6 individual from any point of origin to the nearest medical facility  
7 capable of meeting the medical needs of the patient by an ambulance  
8 licensed, operated, and equipped in accordance with applicable state  
9 or local statutes, ordinances, or regulations that are billed with  
10 the federal centers for medicare and medicaid services health care  
11 common procedure coding system (HCPCS) billing codes A0429 BLS  
12 Emergency, A0428 BLS Non-Emergency, A0427 ALS Emergency, A0426 ALS  
13 Non-Emergency, A0425 Mileage, and A0433 ALS2, A0434 Specialty Care  
14 and any equivalent, predecessor, or successor billing codes as may be  
15 determined by the authority. "Ambulance transports" does not include  
16 transportation of beneficiaries by passenger car, taxicabs, litter  
17 vans, wheelchair vans, or other forms of public or private  
18 conveyances, nor does it include transportation by an air ambulance  
19 provider. An "ambulance transport" does not occur when, following  
20 evaluation of a patient, a transport is not provided.

21 (3) "Ambulance transport provider" means any state licensed  
22 provider of ambulance transports.

23 (4) "Ambulance transport provider subject to the fee" means all  
24 ambulance transport providers that bill and receive patient care  
25 revenue from the provision of ambulance transports, except ambulance  
26 transport providers that are exempt pursuant to section 9(3) of this  
27 act.

28 (5) "Annual quality assurance fee rate" means the quality  
29 assurance fee assessed on each ambulance transport during each  
30 applicable state fiscal year.

31 (6) "Authority" means the Washington state health care authority.

32 (7) "Available fee amount" means the sum of the following:

33 (a) The amount deposited in the ambulance transport fund  
34 established under section 5 of this act during the applicable state  
35 fiscal year, less the amounts described in section 5(3) (a) and (b)  
36 of this act; and

37 (b) Any federal financial participation obtained as a result of  
38 the deposit of the amount described in section 4 of this act, for the  
39 applicable state fiscal year.

1 (8) "Effective state medical assistance percentage" means a ratio  
2 of the aggregate expenditures from state-only sources for the  
3 medicaid program divided by the aggregate expenditures from state and  
4 federal sources for the medicaid program for a state fiscal year.

5 (9) "Gross receipts" means gross payments received as patient  
6 care revenue for ambulance transports, determined on a cash basis of  
7 accounting. "Gross receipts" includes all payments received as  
8 patient care revenue for ambulance transports, including payments for  
9 the federal centers for medicare and medicaid services health care  
10 common procedure coding system (HCPCS) billing codes A0429 BLS  
11 Emergency, A0428 BLS Non-Emergency, A0427 ALS Emergency, A0426 ALS  
12 Non-Emergency, A0425 Mileage, and A0433 ALS2, A0434 Specialty Care  
13 and any equivalent, predecessor, or successor billing codes as may be  
14 determined by the authority, and any other ancillary billing codes  
15 associated with ambulance transport as may be determined by the  
16 authority. "Gross receipts" does not include supplemental amounts  
17 received pursuant to RCW 41.05.730.

18 (10) "Managed care organization" means an organization having a  
19 certificate of authority or certificate of registration from the  
20 office of the insurance commissioner that contracts with the  
21 authority under a comprehensive risk contract to provide prepaid  
22 health care services to eligible clients under the authority's  
23 medicaid managed care programs, including the healthy options  
24 program.

25 (11) "Medicaid" means the medical assistance program as  
26 established in Title XIX of the social security act and as  
27 administered in the state of Washington by the authority.

28 NEW SECTION. **Sec. 3.** (1)(a) The authority shall establish the  
29 manner and format for ambulance transport providers to report the  
30 data required pursuant to this section.

31 (b) The authority may establish an internet web site for the  
32 submission of reports required by this section.

33 (c) The authority may require a certification by each ambulance  
34 transport provider under penalty of perjury of the truth of the  
35 reports required under this section. Upon written notice to an  
36 ambulance transport provider, the authority may impose a civil  
37 penalty of one hundred dollars per day against an ambulance transport  
38 provider for every day that an ambulance transport provider fails to  
39 make a report required by this section within five days of the date

1 upon which the report was due. Any funds resulting from a penalty  
2 imposed pursuant to this subsection shall be deposited in the  
3 ambulance transport fund established in section 5 of this act.

4 (2) Each ambulance transport provider shall report to the  
5 authority data on the number of actual ambulance transports by payer  
6 type, as follows:

7 (a) For each quarter beginning on July 1, 2019, through the  
8 quarter beginning on July 1, 2020, inclusive, the data shall be  
9 submitted on or before October 15, 2020.

10 (b) For the quarter beginning on October 1, 2019, and continuing  
11 each quarter thereafter, the data shall be submitted on or before the  
12 forty-fifth day after the last day of the applicable quarter.

13 (3) Each ambulance transport provider shall report to the  
14 authority data on the gross receipts received from the provision of  
15 ambulance transports per state fiscal year, as follows:

16 (a) For the state fiscal years beginning on July 1, 2019, and  
17 July 1, 2020, the data shall be submitted on or before October 15,  
18 2021.

19 (b) For each state fiscal year beginning on July 1, 2020, and  
20 continuing each state fiscal year thereafter, the data shall be  
21 submitted on or before the forty-fifth day after the last day of the  
22 applicable state fiscal year.

23 NEW SECTION. **Sec. 4.** (1) Commencing with the state fiscal  
24 quarter beginning on July 1, 2020, and continuing each state fiscal  
25 quarter thereafter there shall be imposed a quality assurance fee for  
26 each ambulance transport provided by each ambulance transport  
27 provider subject to the fee in accordance with this section.

28 (2)(a) On or before June 15, 2020, and continuing each June 15th  
29 thereafter, the authority shall calculate the annual quality  
30 assurance fee rate applicable to the following state fiscal year  
31 based on the most recently collected data from ambulance transport  
32 providers pursuant to section 3 of this act. The authority may  
33 correct any identified material or significant errors in the data  
34 collected from ambulance transport providers pursuant to section 3 of  
35 this act for the purposes of calculating the annual quality assurance  
36 fee rate.

37 (i) For the state fiscal year beginning on July 1, 2020, the  
38 annual quality assurance fee rate shall be calculated by multiplying  
39 the projected total annual gross receipts for all ambulance transport

1 providers subject to the fee by four percent, which resulting product  
2 shall be divided by the projected total annual ambulance transports  
3 by all ambulance transport providers subject to the fee for the state  
4 fiscal year.

5 (ii) For state fiscal years beginning July 1, 2021, and  
6 continuing each state fiscal year thereafter, the annual quality  
7 assurance fee rate shall be calculated by a ratio, the numerator of  
8 which shall be the sum of (A) the product of the projected aggregate  
9 fee schedule amount and the effective state medical assistance  
10 percentage and (B) the amount described in section 5(3)(a) of this  
11 act for the state fiscal year, and the denominator of which shall be  
12 ninety percent of the projected total annual ambulance transports by  
13 all ambulance transport providers subject to the fee for the state  
14 fiscal year.

15 (b) On or before June 15, 2020, and continuing each June 15th  
16 thereafter for which this article is implemented, the authority shall  
17 publish the annual quality assurance fee rate on its internet web  
18 site.

19 (c) In no case shall the fees calculated pursuant to this  
20 subsection (2)(c) and collected pursuant to this chapter exceed the  
21 amounts allowable under federal law. If, on or before June 15th of  
22 each year, the authority makes a determination that the fees  
23 collected pursuant to this subsection exceed the amounts allowable  
24 under federal law, the authority may reduce the add-on increase to  
25 the fee-for-service payment schedule described in section 6 of this  
26 act only to the extent necessary to reflect the amount of fees  
27 allowable under federal law in an applicable state fiscal year.

28 (d) If, during a state fiscal year, the actual or projected  
29 available fee amount exceeds or is less than the actual or projected  
30 aggregate fee schedule amount by more than one percent, the authority  
31 shall adjust the annual quality assurance fee rate so that the  
32 available fee amount for the state fiscal year will approximately  
33 equal the aggregate fee schedule amount for the state fiscal year.  
34 The available fee amount for a state fiscal year shall be considered  
35 to equal the aggregate fee schedule amount for the state fiscal year  
36 if the difference between the available fee amount for the state  
37 fiscal year and the aggregate fee schedule amount for the state  
38 fiscal year constitutes less than one percent of the aggregate fee  
39 schedule amount for the state fiscal year.

1 (3) (a) Each ambulance transport provider subject to the fee shall  
2 remit to the authority an amount equal to the annual quality  
3 assurance fee rate for the 2020-2021 state fiscal year multiplied by  
4 the number of transports reported or that should have been reported  
5 by the ambulance transport provider pursuant to section 3(2) of this  
6 act in the quarter beginning on April 1, 2020, based on a schedule  
7 established by the authority. The schedule established by the  
8 authority for the fee payment described in this subsection shall  
9 require remittance of the fee payment according to the following  
10 guidelines:

11 (i) The authority shall require an ambulance transport provider  
12 that rendered thirty-five thousand or more medicaid fee-for-service  
13 ambulance transports during the 2019-2020 state fiscal year to remit  
14 the fee payment described in this subsection on or after July 1,  
15 2020.

16 (ii) The authority shall require an ambulance transport provider  
17 that rendered fewer than thirty-five thousand medicaid fee-for-  
18 service ambulance transports during the 2020-2021 state fiscal year  
19 to remit fifty percent or less of the fee payment described in this  
20 subsection on or after August 1, 2021.

21 (iii) The authority shall require an ambulance transport provider  
22 that rendered fewer than thirty-five thousand medicaid fee-for-  
23 service ambulance transports during the 2020-2021 state fiscal year  
24 to remit any remaining fee payment amount described in this  
25 subsection on or after August 15, 2021.

26 (b) Commencing with the state fiscal quarter beginning on October  
27 1, 2019, and continuing each state fiscal quarter thereafter, on or  
28 before the first day of each state fiscal quarter, each ambulance  
29 transport provider subject to the fee shall remit to the authority an  
30 amount equal to the annual quality assurance fee rate for the  
31 applicable state fiscal year multiplied by the number of transports  
32 reported or that should have been reported by the ambulance transport  
33 provider pursuant to section 3(2) of this act in the immediately  
34 preceding quarter.

35 (4) (a) Interest shall be assessed on quality assurance fees not  
36 paid on the date due at the greater of ten percent per annum or the  
37 rate at which the authority assesses interest on medicaid program  
38 overpayments pursuant to WAC 182-502-0130. Interest shall begin to  
39 accrue the day after the date the payment was due and shall be

1 deposited in the ambulance transport fund established in section 5 of  
2 this act.

3 (b) In the event that any fee payment is more than sixty days  
4 overdue, the authority may deduct the unpaid fee and interest owed  
5 from any medicaid reimbursement payments owed to the ambulance  
6 transport provider until the full amount of the fee, interest, and  
7 any penalties assessed under this chapter are recovered. Any  
8 deduction made pursuant to this subsection shall be made only after  
9 the authority gives the ambulance transport provider written  
10 notification. Any deduction made pursuant to this subsection may be  
11 deducted over a period of time that takes into account the financial  
12 condition of the ambulance transport provider.

13 (c) In the event that any fee payment is more than sixty days  
14 overdue, a penalty equal to the interest charge described in (a) of  
15 this subsection shall be assessed and due for each month for which  
16 the payment is not received after sixty days. Any funds resulting  
17 from a penalty imposed pursuant to this subsection shall be deposited  
18 into the ambulance transport fund established in section 5 of this  
19 act.

20 (d) The authority may waive a portion or all of either the  
21 interest or penalties, or both, assessed under this chapter in the  
22 event the authority determines, in its sole discretion, that the  
23 ambulance transport provider has demonstrated that imposition of the  
24 full amount of the quality assurance fee pursuant to the timelines  
25 applicable under this chapter has a high likelihood of creating an  
26 undue financial hardship for the provider. Waiver of some or all of  
27 the interest or penalties pursuant to this subsection shall be  
28 conditioned on the ambulance transport provider's agreement to make  
29 fee payments on an alternative schedule developed by the authority.

30 (5) The authority shall accept an ambulance transport provider's  
31 payment even if the payment is submitted in a rate year subsequent to  
32 the rate year in which the fee was assessed.

33 (6) In the event of a merger, acquisition, or similar transaction  
34 involving an ambulance transport provider that has outstanding  
35 quality assurance fee payment obligations pursuant to this chapter,  
36 including any interest and penalty amounts owed, the resultant or  
37 successor ambulance transport provider shall be responsible for  
38 paying to the authority the full amount of outstanding quality  
39 assurance fee payments, including any applicable interest and  
40 penalties, attributable to the ambulance transport provider for which

1 it was assessed, upon the effective date of such transaction. An  
2 entity considering a merger, acquisition, or similar transaction  
3 involving an ambulance transport provider may submit a request to the  
4 authority to ascertain the outstanding quality assurance fee payment  
5 obligations of the ambulance transport provider pursuant to this  
6 chapter as of the date of the authority's response to that request.

7 NEW SECTION. **Sec. 5.** (1) A dedicated fund is hereby established  
8 within the state treasury to be known as the ambulance transport  
9 fund. The purpose and use of the fund shall be to receive and  
10 disburse funds, together with accrued interest, in accordance with  
11 this chapter. Moneys in the fund, including interest earned, shall  
12 not be used or disbursed for any purposes other than those specified  
13 in this chapter. Any amounts expended from the fund that are later  
14 recouped by the authority on audit or otherwise shall be returned to  
15 the fund. Moneys in the account may be spent only after  
16 appropriation.

17 (2) The quality assurance fees collected by the authority  
18 pursuant to section 4 of this act must be deposited in the ambulance  
19 transport fund.

20 (3) The moneys in the ambulance transport fund, including any  
21 interest and dividends earned on money in the fund, shall be  
22 available exclusively to enhance federal financial participation for  
23 ambulance services under the medicaid program and to provide  
24 additional reimbursement to, and to support quality improvement  
25 efforts of, ambulance transport providers, and to pay for the state's  
26 administrative costs and to provide funding for health care coverage  
27 for Washingtonians, in the following order of priority:

28 (a) To pay for the authority's staffing and administrative costs  
29 directly attributable to implementing this chapter, not to exceed  
30 twenty percent of the annual quality assurance fee collection amount,  
31 exclusive of any federal matching funds; and

32 (b) To make increased payments to ambulance transport providers  
33 pursuant to section 6 of this act.

34 NEW SECTION. **Sec. 6.** (1) Commencing July 1, 2021, and for each  
35 state fiscal year thereafter, reimbursement to ambulance transport  
36 providers for ambulance transports shall be increased by application  
37 of an add-on to the associated medicaid fee-for-service payment  
38 schedule. The add-on increase to the fee-for-service payment schedule



1 under this section shall be calculated on or before June 15, 2021,  
2 and shall remain the same for later state fiscal years, to the extent  
3 the authority determines federal financial participation is available  
4 and is not otherwise jeopardized. The add-on increase to the fee-for-  
5 service payment schedule under this section shall apply only to the  
6 billing codes identified in, or any equivalent, predecessor, or  
7 successor billing codes as may be determined by the authority  
8 pursuant to, section 2(2) of this act. The authority shall calculate  
9 the projections required by this subsection based on the data  
10 submitted pursuant to section 3 of this act. The fee-for-service add-  
11 on shall be equal to the quotient of the available fee amount  
12 projected by the authority on or before June 15, 2021, for the 2021-  
13 2022 state fiscal year, divided by the total medicaid ambulance  
14 transports, utilizing the billing codes projected by the authority on  
15 or before June 15, 2021, for the 2021-2022 state fiscal year. The  
16 resulting fee-for-service payment schedule amounts after the  
17 application of this section shall be equal to the sum of the medicaid  
18 fee-for-service payment schedule amount for the 2019-2020 state  
19 fiscal year and the add-on increase.

20 (2) The increased payments required by this section shall be  
21 funded solely from the following:

22 (a) The quality assurance fee set forth in section 4 of this act,  
23 along with any interest or other investment income earned on those  
24 funds; and

25 (b) Federal reimbursement and any other related federal funds.

26 (3) The proceeds of the quality assurance fee set forth in  
27 section 4 of this act, the matching amount provided by the federal  
28 government, and any interest earned on those proceeds shall be used  
29 to supplement, and not to supplant, existing funding for ambulance  
30 transports provided by ambulance transport providers.

31 (4) Notwithstanding any provision of this chapter, the authority  
32 may seek federal approval to implement any add-on increase to the  
33 fee-for-service payment schedule pursuant to this section for any  
34 state fiscal year or years, as applicable, on a time-limited basis  
35 for a fixed program period, as determined by the authority.

36 (5) Notwithstanding any provision of this chapter, the add-on  
37 increase to the fee-for-service payment schedule pursuant to this  
38 section shall only be required and payable for state fiscal years for  
39 which a quality assurance fee payment obligation exists for ambulance  
40 transport providers.

1        NEW SECTION.    **Sec. 7.**    If there is a delay in the implementation  
2 of this chapter for any reason, including a delay in any required  
3 approval of the quality assurance fee and reimbursement methodology  
4 specified by the federal centers for medicare and medicaid services,  
5 both of the following shall apply:

6        (1) An ambulance transport provider subject to the fee may be  
7 assessed the amount the provider would be required to pay to the  
8 authority if the add-on increase to the fee-for-service payment  
9 schedule described in section 4 of this act were already approved,  
10 but shall not be required to pay the fee until the add-on increase to  
11 the fee-for-service payment schedule described in section 4 of this  
12 act is approved. The authority shall establish a schedule for payment  
13 of retroactive fees pursuant to this subsection in consultation with  
14 ambulance transport providers to minimize the disruption to the cash  
15 flow of ambulance transport providers.

16        (2) The authority may retroactively implement the add-on increase  
17 to the fee-for-service payment schedule pursuant to section 4 of this  
18 act to the extent the authority determines that federal financial  
19 participation is available and is not otherwise jeopardized.

20        NEW SECTION.    **Sec. 8.**    The authority may adopt rules to implement  
21 this chapter.

22        NEW SECTION.    **Sec. 9.**    (1)(a) The authority shall request any  
23 approval from the federal centers for medicare and medicaid services  
24 it deems necessary for the use of fees pursuant to this chapter and  
25 for the purpose of receiving associated federal matching funds.

26        (b) In making that request, the authority may seek, as it deems  
27 necessary, a request for waiver of the broad-based requirement,  
28 waiver of the uniformity requirement, or both, pursuant to 42 C.F.R.  
29 Sec. 433.68(e)(1) and (2), or a request for waiver of any other  
30 provisions of federal law or regulation necessary to implement this  
31 chapter.

32        (c) This chapter shall be implemented only to the extent that any  
33 necessary federal approvals are obtained and federal financial  
34 participation is available and is not otherwise jeopardized.

35        (2) The authority may modify or make adjustments to any  
36 methodology, fee amount, or other provision specified in this chapter  
37 to the extent necessary to meet the requirements of federal law or  
38 regulations or to obtain federal approval. If the authority, after

1 consulting with affected ambulance transport providers, determines  
2 that a modification is needed, the authority shall execute a  
3 declaration stating that this determination has been made and that  
4 the actual or projected available fee amount for a state fiscal year  
5 remains approximately equal to the actual or projected aggregate fee  
6 schedule amount for each applicable state fiscal year, as defined by  
7 section 4(2)(d) of this act. The authority shall retain the  
8 declaration and provide a copy, within ten working days of the  
9 execution of the declaration, to the appropriate fiscal and policy  
10 committees of the legislature.

11 (3) The authority may add categories of exempt ambulance  
12 transport providers or apply a nonuniform fee per transport to  
13 ambulance transport providers that are subject to the fee in order to  
14 meet requirements of federal law or regulations. The authority may  
15 exempt categories of ambulance transport providers from the fee if  
16 necessary to obtain federal approval.

17 (4) If, before June 1st preceding the start of an applicable  
18 state fiscal year, the authority finds that the implementation of  
19 this chapter is likely no longer a benefit to the general fund for  
20 the applicable state fiscal year, the authority may decide to not  
21 implement this chapter for that state fiscal year. The authority  
22 shall notify the appropriate fiscal and policy committees of the  
23 legislature, and ambulance transport providers via the authority's  
24 internet web site, of its finding pursuant to this subsection.

25 NEW SECTION. **Sec. 10.** (1) This chapter shall be implemented by  
26 the authority only if, as long as, and to the extent that, all of the  
27 following conditions are met:

28 (a) The federal centers for medicare and medicaid services does  
29 not determine that the quality assurance fee revenues may not be used  
30 for the purposes set forth in this chapter.

31 (b) The authority obtains any necessary federal approvals for the  
32 collection of the quality assurance fee pursuant to this chapter and  
33 the add-on increase to the fee-for-service payment schedule described  
34 in section 4 of this act.

35 (c) The state continues its maintenance of effort for the level  
36 of state funding not derived from the quality assurance fee of  
37 ambulance transports reimbursement for the 2020-2021 rate year, and  
38 for each applicable rate year thereafter, in an amount not less than  
39 the amount that the state would have paid for the same number of

1 ambulance transports under the rate methodology that was in effect on  
2 July 31, 2019.

3 (d) Federal financial participation is available, and is not  
4 otherwise jeopardized.

5 (2) This chapter shall cease to be operative on the first day of  
6 the state fiscal year beginning on or after the date one or more of  
7 the following conditions is satisfied:

8 (a) The federal centers for medicare and medicaid services no  
9 longer allows the collection or use of the ambulance transport  
10 provider assessment provided in this chapter;

11 (b) The increase to the medicaid payments described in section 6  
12 of this act no longer remains in effect;

13 (c) The quality assurance fee assessed and collected pursuant to  
14 this chapter is no longer available for the purposes specified in  
15 this chapter;

16 (d) The authority determines that a change in federal law or  
17 federal medicaid policy results or is likely to result in a reduction  
18 of associated federal financial participation for the state medicaid  
19 program such that the authority determines the continued  
20 implementation of this chapter is no longer a benefit to the general  
21 fund;

22 (e) A final judicial determination made by any state or federal  
23 court that is not appealed, or by a court of appellate jurisdiction  
24 that is not further appealed, in any action by any party, or a final  
25 determination by the administrator of the federal centers for  
26 medicare and medicaid services that is not appealed, that federal  
27 financial participation is not available with respect to any payment  
28 made under the methodology implemented pursuant to this chapter;

29 (f) The state does not continue its maintenance of effort for the  
30 level of state funding of ambulance transports reimbursement for the  
31 2020-2021 state fiscal year, or for any subsequent state fiscal year,  
32 in an amount not less than the amount that the state would have paid  
33 for the same number of ambulance transports under the rate  
34 methodology in effect on July 31, 2019.

35 (3) In the event one or more of the conditions listed in  
36 subsection (2) of this section is satisfied, the authority shall  
37 notify, in writing and as soon as practicable, the secretary of  
38 state, the secretary of the senate, the chief clerk of the house of  
39 representatives, the appropriate fiscal and policy committees of the  
40 legislature, and the code reviser's office of the condition and the

1 approximate date or dates that it occurred. The authority shall post  
2 the notice on the authority's internet web site.

3 (4) (a) Notwithstanding any other law, in the event this chapter  
4 becomes inoperative pursuant to subsection (2) of this section, the  
5 authority shall be authorized to conduct all appropriate close-out  
6 activities and implement applicable provisions of this chapter for  
7 prior state fiscal years during which this chapter was operative  
8 including, but not limited to, the collection of outstanding quality  
9 assurance fees pursuant to section 4 of this act and payments  
10 associated with any add-on increase to the medicaid fee-for-service  
11 payment schedule pursuant to section 6 of this act. In implementing  
12 these close-out activities, the authority shall ensure that the  
13 actual or projected available fee amount for each applicable state  
14 fiscal year remains approximately equal to the aggregate fee schedule  
15 amount for the state fiscal year, as defined by section 4(2)(d) of  
16 this act. During this close-out period, the full amount of the  
17 quality assurance fee assessed and collected remains available only  
18 for the purposes specified in this chapter.

19 (b) Upon a determination by the authority that all appropriate  
20 close-out and implementation activities pursuant to (a) of this  
21 subsection have been completed, the authority shall notify, in  
22 writing, the secretary of state, the secretary of the senate, the  
23 chief clerk of the house of representatives, the appropriate fiscal  
24 and policy committees of the legislature, and the code reviser's  
25 office of that determination. This chapter shall expire as of the  
26 effective date of the notification issued by the authority pursuant  
27 to this subsection.

28 **Sec. 11.** RCW 43.84.092 and 2018 c 287 s 7, 2018 c 275 s 10, and  
29 2018 c 203 s 14 are each reenacted and amended to read as follows:

30 (1) All earnings of investments of surplus balances in the state  
31 treasury shall be deposited to the treasury income account, which  
32 account is hereby established in the state treasury.

33 (2) The treasury income account shall be utilized to pay or  
34 receive funds associated with federal programs as required by the  
35 federal cash management improvement act of 1990. The treasury income  
36 account is subject in all respects to chapter 43.88 RCW, but no  
37 appropriation is required for refunds or allocations of interest  
38 earnings required by the cash management improvement act. Refunds of  
39 interest to the federal treasury required under the cash management

1 improvement act fall under RCW 43.88.180 and shall not require  
2 appropriation. The office of financial management shall determine the  
3 amounts due to or from the federal government pursuant to the cash  
4 management improvement act. The office of financial management may  
5 direct transfers of funds between accounts as deemed necessary to  
6 implement the provisions of the cash management improvement act, and  
7 this subsection. Refunds or allocations shall occur prior to the  
8 distributions of earnings set forth in subsection (4) of this  
9 section.

10 (3) Except for the provisions of RCW 43.84.160, the treasury  
11 income account may be utilized for the payment of purchased banking  
12 services on behalf of treasury funds including, but not limited to,  
13 depository, safekeeping, and disbursement functions for the state  
14 treasury and affected state agencies. The treasury income account is  
15 subject in all respects to chapter 43.88 RCW, but no appropriation is  
16 required for payments to financial institutions. Payments shall occur  
17 prior to distribution of earnings set forth in subsection (4) of this  
18 section.

19 (4) Monthly, the state treasurer shall distribute the earnings  
20 credited to the treasury income account. The state treasurer shall  
21 credit the general fund with all the earnings credited to the  
22 treasury income account except:

23 (a) The following accounts and funds shall receive their  
24 proportionate share of earnings based upon each account's and fund's  
25 average daily balance for the period: The abandoned recreational  
26 vehicle disposal account, the aeronautics account, the aircraft  
27 search and rescue account, the Alaskan Way viaduct replacement  
28 project account, the ambulance transport fund, the brownfield  
29 redevelopment trust fund account, the budget stabilization account,  
30 the capital vessel replacement account, the capitol building  
31 construction account, the Cedar River channel construction and  
32 operation account, the Central Washington University capital projects  
33 account, the charitable, educational, penal and reformatory  
34 institutions account, the Chehalis basin account, the cleanup  
35 settlement account, the Columbia river basin water supply development  
36 account, the Columbia river basin taxable bond water supply  
37 development account, the Columbia river basin water supply revenue  
38 recovery account, the common school construction fund, the community  
39 forest trust account, the connecting Washington account, the county  
40 arterial preservation account, the county criminal justice assistance

1 account, the deferred compensation administrative account, the  
2 deferred compensation principal account, the department of licensing  
3 services account, the department of licensing tuition recovery trust  
4 fund, the department of retirement systems expense account, the  
5 developmental disabilities community trust account, the diesel idle  
6 reduction account, the drinking water assistance account, the  
7 drinking water assistance administrative account, the early learning  
8 facilities development account, the early learning facilities  
9 revolving account, the Eastern Washington University capital projects  
10 account, the Interstate 405 express toll lanes operations account,  
11 the education construction fund, the education legacy trust account,  
12 the election account, the electric vehicle charging infrastructure  
13 account, the energy freedom account, the energy recovery act account,  
14 the essential rail assistance account, The Evergreen State College  
15 capital projects account, the federal forest revolving account, the  
16 ferry bond retirement fund, the freight mobility investment account,  
17 the freight mobility multimodal account, the grade crossing  
18 protective fund, the public health services account, (~~the high~~  
19 ~~capacity transportation account,~~) the state higher education  
20 construction account, the higher education construction account, the  
21 highway bond retirement fund, the highway infrastructure account, the  
22 highway safety fund, the high occupancy toll lanes operations  
23 account, the hospital safety net assessment fund, the industrial  
24 insurance premium refund account, the judges' retirement account, the  
25 judicial retirement administrative account, the judicial retirement  
26 principal account, the local leasehold excise tax account, the local  
27 real estate excise tax account, the local sales and use tax account,  
28 the marine resources stewardship trust account, the medical aid  
29 account, the mobile home park relocation fund, the money-purchase  
30 retirement savings administrative account, the money-purchase  
31 retirement savings principal account, the motor vehicle fund, the  
32 motorcycle safety education account, the multimodal transportation  
33 account, the multiuse roadway safety account, the municipal criminal  
34 justice assistance account, the natural resources deposit account,  
35 the oyster reserve land account, the pension funding stabilization  
36 account, the perpetual surveillance and maintenance account, the  
37 pollution liability insurance agency underground storage tank  
38 revolving account, the public employees' retirement system plan 1  
39 account, the public employees' retirement system combined plan 2 and  
40 plan 3 account, the public facilities construction loan revolving

1 account beginning July 1, 2004, the public health supplemental  
2 account, the public works assistance account, the Puget Sound capital  
3 construction account, the Puget Sound ferry operations account, the  
4 Puget Sound taxpayer accountability account, the real estate  
5 appraiser commission account, the recreational vehicle account, the  
6 regional mobility grant program account, the resource management cost  
7 account, the rural arterial trust account, the rural mobility grant  
8 program account, the rural Washington loan fund, the sexual assault  
9 prevention and response account, the site closure account, the  
10 skilled nursing facility safety net trust fund, the small city  
11 pavement and sidewalk account, the special category C account, the  
12 special wildlife account, the state employees' insurance account, the  
13 state employees' insurance reserve account, the state investment  
14 board expense account, the state investment board commingled trust  
15 fund accounts, the state patrol highway account, the state route  
16 number 520 civil penalties account, the state route number 520  
17 corridor account, the state wildlife account, the statewide tourism  
18 marketing account, the student achievement council tuition recovery  
19 trust fund, the supplemental pension account, the Tacoma Narrows toll  
20 bridge account, the teachers' retirement system plan 1 account, the  
21 teachers' retirement system combined plan 2 and plan 3 account, the  
22 tobacco prevention and control account, the tobacco settlement  
23 account, the toll facility bond retirement account, the  
24 transportation 2003 account (nickel account), the transportation  
25 equipment fund, the transportation future funding program account,  
26 the transportation improvement account, the transportation  
27 improvement board bond retirement account, the transportation  
28 infrastructure account, the transportation partnership account, the  
29 traumatic brain injury account, the tuition recovery trust fund, the  
30 University of Washington bond retirement fund, the University of  
31 Washington building account, the volunteer firefighters' and reserve  
32 officers' relief and pension principal fund, the volunteer  
33 firefighters' and reserve officers' administrative fund, the  
34 Washington judicial retirement system account, the Washington law  
35 enforcement officers' and firefighters' system plan 1 retirement  
36 account, the Washington law enforcement officers' and firefighters'  
37 system plan 2 retirement account, the Washington public safety  
38 employees' plan 2 retirement account, the Washington school  
39 employees' retirement system combined plan 2 and 3 account, the  
40 Washington state health insurance pool account, the Washington state



1 patrol retirement account, the Washington State University building  
2 account, the Washington State University bond retirement fund, the  
3 water pollution control revolving administration account, the water  
4 pollution control revolving fund, the Western Washington University  
5 capital projects account, the Yakima integrated plan implementation  
6 account, the Yakima integrated plan implementation revenue recovery  
7 account, and the Yakima integrated plan implementation taxable bond  
8 account. Earnings derived from investing balances of the agricultural  
9 permanent fund, the normal school permanent fund, the permanent  
10 common school fund, the scientific permanent fund, the state  
11 university permanent fund, and the state reclamation revolving  
12 account shall be allocated to their respective beneficiary accounts.

13 (b) Any state agency that has independent authority over accounts  
14 or funds not statutorily required to be held in the state treasury  
15 that deposits funds into a fund or account in the state treasury  
16 pursuant to an agreement with the office of the state treasurer shall  
17 receive its proportionate share of earnings based upon each account's  
18 or fund's average daily balance for the period.

19 (5) In conformance with Article II, section 37 of the state  
20 Constitution, no treasury accounts or funds shall be allocated  
21 earnings without the specific affirmative directive of this section.

22 NEW SECTION. **Sec. 12.** Sections 1 through 10 and 15 of this act  
23 constitute a new chapter in Title 74 RCW.

24 NEW SECTION. **Sec. 13.** A new section is added to chapter 43.131  
25 RCW to read as follows:

26 The authorization for ambulance transport quality assurance fees  
27 established in this act shall be terminated on July 1, 2029, as  
28 provided in section 14 of this act.

29 NEW SECTION. **Sec. 14.** A new section is added to chapter 43.131  
30 RCW to read as follows:

31 The following acts or parts of acts, as now existing or hereafter  
32 amended, are each repealed, effective July 1, 2030:

- 33 (1) RCW 74.--.--- and 2019 c ... s 1 (section 1 of this act);  
34 (2) RCW 74.--.--- and 2019 c ... s 2 (section 2 of this act);  
35 (3) RCW 74.--.--- and 2019 c ... s 3 (section 3 of this act);  
36 (4) RCW 74.--.--- and 2019 c ... s 4 (section 4 of this act);  
37 (5) RCW 74.--.--- and 2019 c ... s 5 (section 5 of this act);

- 1 (6) RCW 74.--.--- and 2019 c ... s 6 (section 6 of this act);
- 2 (7) RCW 74.--.--- and 2019 c ... s 7 (section 7 of this act);
- 3 (8) RCW 74.--.--- and 2019 c ... s 8 (section 8 of this act);
- 4 (9) RCW 74.--.--- and 2019 c ... s 9 (section 9 of this act);
- 5 (10) RCW 74.--.--- and 2019 c ... s 10 (section 10 of this act);
- 6 and
- 7 (11) RCW 74.--.--- and 2019 c ... s 15 (section 15 of this act).

8 NEW SECTION. **Sec. 15.** Except for section 11 of this act, which  
9 takes effect May 1, 2019, this act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of  
11 the state government and its existing public institutions, and takes  
12 effect immediately.

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