

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6189**

66th Legislature  
2020 Regular Session

Passed by the Senate March 10, 2020  
Yeas 45 Nays 0

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**President of the Senate**

Passed by the House March 10, 2020  
Yeas 97 Nays 0

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**Speaker of the House of  
Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6189** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 6189**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

**State of Washington                      66th Legislature                      2020 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Wellman, Mullet, Pedersen, Zeiger, Kuderer, Das, Short, and Wilson, C.)

READ FIRST TIME 02/11/20.

1            AN ACT Relating to school employees' benefits board coverage;  
2 amending RCW 28A.300.615; adding new sections to chapter 41.05 RCW;  
3 creating new sections; providing expiration dates; and declaring an  
4 emergency.

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

6            NEW SECTION.    **Sec. 1.**    (1) The joint legislative audit and review  
7 committee shall conduct a study to identify the number and types of  
8 part-time school district employees and their eligibility for  
9 benefits through the school employees' benefits board. The office of  
10 the superintendent of public instruction and the health care  
11 authority shall assist in providing any data requested by the joint  
12 legislative audit and review committee to conduct the study. The  
13 study will seek to identify:

14            (a) The categories and number of employees who worked full-time  
15 and less than full-time during the 2018-19 and 2019-20 school years,  
16 including ranges of hours worked, how many of those employees were  
17 eligible for employer support for benefits each year, and the amount  
18 of employer support provided for benefits. The study must summarize  
19 the data by major job category, such as substitute teacher,  
20 educational staff associate, paraprofessional, bus driver, principal,

1 vice principal, and any other major job categories identified during  
2 the review;

3 (b) The number of certificated and classified employees eligible  
4 for school employees' benefits board benefits beginning January 1,  
5 2020, and the number who waived medical coverage by district;

6 (c) The number of certificated and classified school employee  
7 benefit units, including estimated benefit units attributable to  
8 pupil transportation and special education, funded in the state  
9 budget for school employees' benefits board benefits by district.

10 (2) The joint legislative audit and review committee shall submit  
11 the review to the appropriate committees of the legislature by  
12 September 1, 2021. The review shall include recommendations for  
13 continued and regular data collection that should be incorporated  
14 into the superintendent of public instruction's and the health care  
15 authority's regular data and reporting systems.

16 (3) This section expires January 1, 2022.

17 NEW SECTION. **Sec. 2.** (1) The health care authority shall  
18 conduct an analysis of the impacts of changes to the requirement that  
19 school employers remit premiums for employees that waive medical  
20 coverage under RCW 41.05.050(4)(d). The analysis shall consider the  
21 estimated impacts to the projected future funding rates and the  
22 estimated amount billed to each school district based on the  
23 following:

24 (a) A variable rate for employees waiving medical coverage and  
25 that are covered under dental, vision, long-term life and disability,  
26 and any other benefits not waived;

27 (b) A policy allowing members to waive coverage for some or all  
28 of the employer paid benefits;

29 (c) Any other options considered by the authority or as  
30 recommended by the school employees' benefits board.

31 (2) The analysis is due to the relevant fiscal committees of the  
32 legislature by September 1, 2021.

33 (3) This section expires June 30, 2022.

34 **Sec. 3.** RCW 28A.300.615 and 2016 c 233 s 8 are each amended to  
35 read as follows:

36 (1) By October 1st of each year, a school district must report to  
37 the office of the superintendent of public instruction:

38 (a) The number of substitute teachers hired per school year;

1 (b) The number of hours worked by each substitute teacher(~~s~~  
2 ~~hired under RCW 28A.410.252 per school year~~);

3 (c) The number of substitute teachers that received benefits  
4 under the school employees' benefits board;

5 (d) The full daily compensation rate per substitute teacher; and

6 (~~(d)~~) (e) The reason for hiring the substitute teacher.

7 (2) By January 1st of each year, the office of the superintendent  
8 of public instruction must post on its web site the information  
9 identified in subsection (1) of this section.

10 NEW SECTION. Sec. 4. A new section is added to chapter 41.05  
11 RCW to read as follows:

12 Beginning with the 2022 plan year, individuals are limited to a  
13 single enrollment in medical, dental, and vision plans among school  
14 employees' benefits board and public employees' benefits board plans.  
15 However, individuals may be enrolled in both public employees'  
16 benefits board and school employees' benefits board plans as long as  
17 those enrollments are across different types of plans, such as  
18 medical, dental, and vision. The school employees' benefits board and  
19 the public employees' benefits board shall adopt policies to reflect  
20 this single enrollment requirement.

21 NEW SECTION. Sec. 5. A new section is added to chapter 41.05  
22 RCW to read as follows:

23 (1) A school employee eligible as of February 29, 2020, for the  
24 employer contribution towards benefits offered by the school  
25 employees' benefits board shall maintain their eligibility for the  
26 employer contribution under the following circumstances directly  
27 related or in response to the governor's February 29, 2020,  
28 proclamation of a state of emergency existing in all counties in the  
29 state of Washington related to the novel coronavirus (COVID-19):

30 (a) During any school closures or changes in school operations  
31 for the school employee;

32 (b) While the school employee is quarantined or required to care  
33 for a family member, as defined by RCW 49.46.210(2), who is  
34 quarantined; and

35 (c) In order to take care of a child as defined by RCW  
36 49.46.210(2), when the child's:

37 (i) School is closed;

38 (ii) Regular day care facility is closed; or

1 (iii) Regular child care provider is unable to provide services.

2 (2) Requirements in subsection (1) of this section expires when  
3 the governor's state of emergency related to the novel coronavirus  
4 (COVID-19) ends.

5 (3) When regular school operations resume, school employees shall  
6 continue to maintain their eligibility for the employer contribution  
7 for the remainder of the school year so long as their work schedule  
8 returns to the schedule in place before February 29, 2020, or, if  
9 there is a change in schedule, so long as the new schedule, had it  
10 been in effect at the start of the school year, would have resulted  
11 in the employee being anticipated to work the minimum hours to meet  
12 benefits eligibility.

13 (4) Quarantine, as used in subsection (1)(b) includes only  
14 periods of isolation required by the federal government, a foreign  
15 national government, a state or local public health official, a  
16 health care provider, or an employer.

17 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of  
19 the state government and its existing public institutions, and takes  
20 effect immediately.

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