

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 6534

Chapter 354, Laws of 2020

66th Legislature
2020 Regular Session

AMBULANCE TRANSPORT FUND--QUALITY ASSURANCE FEE

EFFECTIVE DATE: April 3, 2020

Passed by the Senate March 12, 2020
Yeas 44 Nays 4

CYRUS HABIB

President of the Senate

Passed by the House March 12, 2020
Yeas 87 Nays 10

LURIE JINKINS

**Speaker of the House of
Representatives**

Approved April 3, 2020 2:03 PM

JAY INSLEE

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 6534** as passed by the Senate and the House of Representatives on the dates hereon set forth.

BRAD HENDRICKSON

Secretary

FILED

April 3, 2020

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6534

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington 66th Legislature 2020 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senator Cleveland)

READ FIRST TIME 02/03/20.

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

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

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

11 The purpose of this chapter is to provide for a quality assurance
12 fee for specified providers of emergency ambulance services as
13 referenced in 42 C.F.R. Sec. 433.56, which will be used to add on to
14 base funding from all other sources, thereby supporting additional
15 medicaid payments to nonpublic and nonfederal providers of emergency
16 ambulance services as 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 amount" means the product of the add-
2 on calculated pursuant to section 6(1) of this act multiplied by the
3 number of emergency ambulance transports for the state fiscal year.

4 (2) "Ambulance transport provider" means an ambulance transport
5 provider that is licensed under RCW 18.73.140 that bills and receives
6 patient care revenue from the provision of ground emergency ambulance
7 transports. "Ambulance transport provider" does not include a
8 provider that is owned or operated by the state, cities, counties,
9 fire protection districts, regional fire protection service
10 authorities, port districts, public hospital districts, community
11 services districts, health care districts, federally recognized
12 Indian tribes, or any unit of government as defined in 42 C.F.R. Sec.
13 433.50.

14 (3) "Annual quality assurance fee rate" means the quality
15 assurance fee per emergency ambulance transport during each
16 applicable state fiscal year assessed on each ambulance transport
17 provider.

18 (4) "Authority" means the Washington state health care authority.

19 (5) "Available fee amount" means the sum of the following:

20 (a) The amount deposited in the ambulance transport fund
21 established under section 3 of this act during the applicable state
22 fiscal year, less the amounts described in section 3(3)(a) of this
23 act; and

24 (b) Any federal financial participation obtained as a result of
25 the deposit of the amount described in this subsection, for the
26 applicable state fiscal year.

27 (6) "Effective state medical assistance percentage" means a ratio
28 of the aggregate expenditures from state-only sources for medicaid
29 divided by the aggregate expenditures from state and federal sources
30 for medicaid for a state fiscal year.

31 (7) "Emergency ambulance transport" means the act of transporting
32 an individual by use of an ambulance during which a client receives
33 needed emergency medical services en route to an appropriate medical
34 facility. "Emergency ambulance transport" does not include
35 transportation of beneficiaries by passenger cars, taxicabs, litter
36 vans, wheelchair vans, or other forms of public or private
37 conveyances, nor does it include transportation by an air ambulance
38 provider. An "emergency ambulance transport" does not occur when,
39 following evaluation of a patient, a transport is not provided.

1 (8) "Fee-for-service payment schedule" means the payment rates to
2 ambulance transport providers for emergency ambulance transports by
3 the authority without the inclusion of the add-on described in
4 section 6 of this act.

5 (9) "Gross receipts" means the total amount of payments received
6 as patient care revenue for emergency ambulance transports,
7 determined on a cash basis of accounting. "Gross receipts" includes
8 all payments received as patient care revenue for emergency ambulance
9 transports from medicaid, medicare, commercial insurance, and all
10 other payers as payment for services rendered.

11 (10) "Medicaid" means the medical assistance program and the
12 state children's health insurance program as established in Title XIX
13 and Title XXI of the social security act, respectively, and as
14 administered in the state of Washington by the authority.

15 (11) "Program" means the ambulance quality assurance fee program
16 established in this chapter.

17 NEW SECTION. **Sec. 3.** (1) A dedicated fund is hereby established
18 within the state treasury to be known as the ambulance transport
19 fund. The purpose and use of the fund shall be to receive and
20 disburse funds, together with accrued interest, in accordance with
21 this chapter. Moneys in the fund, including interest earned, shall
22 not be used or disbursed for any purposes other than those specified
23 in this chapter. Any amounts expended from the fund that are later
24 recouped by the authority on audit or otherwise shall be returned to
25 the fund. Moneys in the account may be spent only after
26 appropriation.

27 (2) The quality assurance fees collected by the authority
28 pursuant to section 5 of this act must be deposited in the ambulance
29 transport fund.

30 (3) The moneys in the ambulance transport fund, including any
31 interest and dividends earned on money in the fund, shall be
32 available exclusively for the following purposes in the following
33 order of priority:

34 (a) To provide funding in an amount not to exceed ten percent of
35 the annual quality assurance fee rate collection amount, exclusive of
36 any federal matching funds, for health care coverage for
37 Washingtonians and for the authority's staffing and administrative
38 costs directly attributable to administering this chapter; and

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

3 NEW SECTION. **Sec. 4.** (1) Each ambulance transport provider must
4 report to the authority the number of emergency ambulance transports
5 by payer type and the annual gross receipts for the state fiscal year
6 ending June 30, 2020, pursuant to form and timing required by the
7 authority. The authority shall establish the timing for such
8 reporting to occur on or after August 15, 2020.

9 (2) Each ambulance transport provider must report to the
10 authority the number of emergency ambulance transports by payer type
11 for each state fiscal quarter commencing with the state fiscal
12 quarter ending September 30, 2020, pursuant to form and timing
13 required by the authority. The authority shall establish the timing
14 for such reporting to occur on or after the forty-fifth day after the
15 end of each applicable state fiscal quarter.

16 (3) Each ambulance transport provider must report to the
17 authority the annual gross receipts for each state fiscal year
18 commencing with the state fiscal year ending June 30, 2021, pursuant
19 to form and timing required by the authority. The authority shall
20 establish the timing for such reporting to occur on or after the
21 forty-fifth day after the end of each applicable state fiscal year.

22 (4) The authority may require a certification by each ambulance
23 transport provider under penalty of perjury of the truth of the
24 reports required under this section. Upon written notice to an
25 ambulance transport provider, the authority may impose a civil
26 penalty of one hundred dollars per day against an ambulance transport
27 provider for every day that an ambulance transport provider fails to
28 make a report required by this section within five days of the date
29 upon which the report was due. Any funds resulting from a penalty
30 imposed pursuant to this subsection shall be deposited in the
31 ambulance transport fund established in section 3 of this act.

32 NEW SECTION. **Sec. 5.** (1) Beginning July 1, 2021, and annually
33 thereafter, the authority shall assess each ambulance transport
34 provider a quality assurance fee. Each ambulance transport provider
35 must pay the quality assurance fee on a quarterly basis. The
36 quarterly quality assurance fee payment shall be based on the annual
37 quality assurance fee rate for the applicable state fiscal year
38 multiplied by the number of emergency ambulance transports provided

1 by the ambulance transport provider in the second quarter preceding
2 the state fiscal quarter for which the fee is assessed.

3 (2)(a) For the state fiscal year beginning July 1, 2021, the
4 annual quality assurance fee rate shall be calculated by multiplying
5 the projected total annual gross receipts for all ambulance transport
6 providers by five and one-half percent, which resulting product shall
7 be divided by the projected total annual emergency ambulance
8 transports by all ambulance transport providers for the state fiscal
9 year.

10 (b) For state fiscal years beginning July 1, 2022, and continuing
11 each state fiscal year thereafter, the quality assurance fee rate
12 shall be calculated by a ratio, the numerator of which shall be the
13 product of the projected aggregate fee schedule amount, and the
14 denominator of which shall be ninety percent of the projected total
15 annual emergency ambulance transports by all ambulance transport
16 providers.

17 (c) If, during a state fiscal year, the actual or projected
18 available fee amount exceeds or is less than the actual or projected
19 aggregate fee schedule amount by more than one percent, the authority
20 shall adjust the annual quality assurance fee rate so that the
21 available fee amount for the state fiscal year is approximately equal
22 to the aggregate fee schedule amount for the state fiscal year. The
23 available fee amount for a state fiscal year shall be considered to
24 equal the aggregate fee schedule amount for the state fiscal year if
25 the difference between the available fee amount for the state fiscal
26 year and the aggregate fee schedule amount for the state fiscal year
27 constitutes less than one percent of the aggregate fee schedule
28 amount for the state fiscal year.

29 (3) For each state fiscal year for which the quality assurance
30 fee is assessed, the authority shall send each ambulance transport
31 provider an assessment notice no later than thirty days prior to the
32 beginning of the applicable state fiscal quarter. For each state
33 fiscal quarter for which the quality assurance fee is assessed, the
34 authority shall send to each ambulance transport provider an invoice
35 of the quarterly quality assurance fee payment due for the quarter no
36 later than thirty days before the payment is due. For each state
37 fiscal quarter for which the quality assurance fee is assessed, the
38 ambulance transport provider shall remit payment to the authority by
39 the date established by the authority, which shall be no earlier than

1 fifteen days after the beginning of the applicable state fiscal
2 quarter.

3 (4) (a) Interest shall be assessed on quality assurance fees not
4 paid on the date due at the rate and in the manner provided in RCW
5 43.20B.695. Interest shall be deposited in the ambulance transport
6 fund established in section 3 of this act.

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

17 (c) In the event that any fee payment is more than sixty days
18 overdue, a penalty equal to the interest charge described in (a) of
19 this subsection shall be assessed and due for each month for which
20 the payment is not received after sixty days. Any funds resulting
21 from a penalty imposed pursuant to this subsection shall be deposited
22 into the ambulance transport fund established in section 3 of this
23 act.

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

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

37 (6) In the event of a merger, acquisition, or similar transaction
38 involving an ambulance transport provider that has outstanding
39 quality assurance fee payment obligations pursuant to this chapter,
40 including any interest and penalty amounts owed, the resultant or

1 successor ambulance transport provider shall be responsible for
2 paying to the authority the full amount of outstanding quality
3 assurance fee payments, including any applicable interest and
4 penalties, attributable to the ambulance transport provider for which
5 it was assessed, upon the effective date of such transaction. An
6 entity considering a merger, acquisition, or similar transaction
7 involving an ambulance transport provider may submit a request to the
8 authority to ascertain the outstanding quality assurance fee payment
9 obligations of the ambulance transport provider pursuant to this
10 chapter as of the date of the authority's response to that request.

11 NEW SECTION. **Sec. 6.** (1) Beginning July 1, 2021, and for each
12 state fiscal year thereafter, reimbursement for emergency ambulance
13 transports provided by ambulance transport providers shall be
14 increased by application of an add-on to the associated medicaid fee-
15 for-service payment schedule. The add-on increase to the fee-for-
16 service payment schedule under this section shall be calculated by
17 June 15, 2021, and shall remain the same for later state fiscal
18 years, to the extent the authority determines federal financial
19 participation is available. The authority shall calculate the
20 projections required by this subsection based on the number of
21 emergency ambulance transports and gross revenue data submitted
22 pursuant to section 4 of this act. The fee-for-service add-on shall
23 be equal to the quotient of the available fee amount projected by the
24 authority on or before June 15, 2021, for the 2021-22 state fiscal
25 year, divided by the total medicaid emergency ambulance transports,
26 projected by the authority on or before June 15, 2021, for the 2021-
27 22 state fiscal year. The resulting fee-for-service payment schedule
28 amounts after the application of this section shall be equal to the
29 sum of the medicaid fee-for-service payment schedule amount and the
30 add-on increase.

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

33 (a) The quality assurance fee set forth in section 5 of this act,
34 along with any interest or other investment income earned on those
35 funds; and

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

37 (3) The proceeds of the quality assurance fee set forth in
38 section 5 of this act, the matching amount provided by the federal
39 government, and any interest earned on those proceeds shall be used

1 to supplement, and not to supplant, existing funding for emergency
2 ambulance transports provided by ambulance transport providers.

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

8 NEW SECTION. **Sec. 7.** The authority may adopt rules to implement
9 this chapter.

10 NEW SECTION. **Sec. 8.** (1)(a) The authority shall request any
11 approval from the federal centers for medicare and medicaid services
12 it determines are necessary for the use of fees pursuant to this
13 chapter and for the purpose of receiving associated federal matching
14 funds.

15 (b) This chapter shall be implemented only to the extent that any
16 necessary federal approvals are obtained and federal financial
17 participation is available. The quality assurance fee pursuant to
18 section 5 of this act shall only be assessed and collected for
19 quarters in which the add-on pursuant to section 6 of this act is
20 paid.

21 (2) The authority may modify or make adjustments to any
22 methodology, fee amount, or other provision specified in this chapter
23 to the minimum extent necessary to meet the requirements of federal
24 law or regulations or to obtain federal approval. If the authority,
25 after consulting with ambulance transport providers, determines that
26 a modification is needed, the authority shall execute a declaration
27 stating that this determination has been made and that the actual or
28 projected available fee amount for a state fiscal year remains
29 approximately equal to the actual or projected aggregate fee schedule
30 amount for each applicable state fiscal year, as defined by section
31 5(2)(c) of this act. The authority shall retain the declaration and
32 provide a copy, within ten working days of the execution of the
33 declaration, to the appropriate fiscal and policy committees of the
34 legislature.

35 NEW SECTION. **Sec. 9.** If there is a delay in the implementation
36 of this chapter for any reason, including a delay in any required
37 approval of the quality assurance fee and reimbursement methodology

1 specified by the federal centers for medicare and medicaid services,
2 the following shall apply:

3 (1) An ambulance transport provider may be assessed the amount
4 the provider would be required to pay to the authority if the add-on
5 increase to the fee-for-service payment schedule described in section
6 5(2)(c) of this act were already approved, but shall not be required
7 to pay the fee until the add-on increase to the fee-for-service
8 payment schedule described in section 6 of this act is approved. The
9 authority shall establish a schedule for payment of retroactive fees
10 pursuant to this subsection in consultation with ambulance transport
11 providers to minimize the disruption to the cash flow of ambulance
12 transport providers.

13 (2) The authority may retroactively implement the add-on increase
14 to the fee-for-service payment schedule pursuant to section 6 of this
15 act to the extent the authority determines that federal financial
16 participation is available.

17 NEW SECTION. **Sec. 10.** (1) The assessment, collection, and

18 disbursement of funds under this chapter shall be conditional upon:

19 (a) The federal centers for medicare and medicaid services not
20 determining that the quality assurance fee revenues may not be used
21 for the purposes set forth in this chapter;

22 (b) The state not reducing its fee-for-service payment schedule
23 for emergency ambulance transports provided by ambulance transport
24 providers;

25 (c) The state not delegating responsibility to pay for emergency
26 ambulance transports to a managed care organization, prepaid
27 inpatient health plan, or prepaid ambulatory health plan, as those
28 terms are defined in 42 C.F.R. Sec. 438.2;

29 (d) Federal financial participation being available and not
30 otherwise jeopardized;

31 (e) The program not prohibiting, diminishing, or harming the
32 ground emergency medical transportation services reimbursement
33 program described in RCW 41.05.730; and

34 (f) Consistent with section 6(3) of this act, the state
35 continuing its maintenance of effort for the level of state funding
36 not derived from the quality assurance fee of emergency ambulance
37 transports reimbursement for the 2021-22 rate year, and for each
38 applicable rate year thereafter, in an amount not less than the
39 amount that the state would have paid for the same number of

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

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

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

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

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

14 (d) A final judicial determination made by any state or federal
15 court that is not appealed, or by a court of appellate jurisdiction
16 that is not further appealed, in any action by any party, or a final
17 determination by the administrator of the federal centers for
18 medicare and medicaid services that is not appealed, that federal
19 financial participation is not available with respect to any payment
20 made under the methodology implemented pursuant to this chapter;

21 (e) The state reduces its fee-for-service payment schedule for
22 emergency ambulance transports provided by ambulance transport
23 providers;

24 (f) The state delegates responsibility to pay for emergency
25 ambulance transports to a managed care organization, prepaid
26 inpatient health plan, or prepaid ambulatory health plan, as those
27 terms are defined in 42 C.F.R. Sec. 438.2; and

28 (g) The program not prohibiting, diminishing, or harming the
29 ground emergency medical transportation services reimbursement
30 program described in RCW 41.05.730.

31 (3) In the event one or more of the conditions listed in
32 subsection (2) of this section is satisfied, the authority shall
33 notify, in writing and as soon as practicable, the secretary of
34 state, the secretary of the senate, the chief clerk of the house of
35 representatives, the appropriate fiscal and policy committees of the
36 legislature, and the code reviser's office of the condition and the
37 approximate date or dates that it occurred. The authority shall post
38 the notice on the authority's web site.

39 (4) (a) Notwithstanding any other law, in the event this chapter
40 becomes inoperative pursuant to subsection (2) of this section, the

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

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

24 **Sec. 11.** RCW 43.84.092 and 2019 c 421 s 15, 2019 c 403 s 14,
25 2019 c 365 s 19, 2019 c 287 s 19, and 2019 c 95 s 6 are each
26 reenacted and amended to read as follows:

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

30 (2) The treasury income account shall be utilized to pay or
31 receive funds associated with federal programs as required by the
32 federal cash management improvement act of 1990. The treasury income
33 account is subject in all respects to chapter 43.88 RCW, but no
34 appropriation is required for refunds or allocations of interest
35 earnings required by the cash management improvement act. Refunds of
36 interest to the federal treasury required under the cash management
37 improvement act fall under RCW 43.88.180 and shall not require
38 appropriation. The office of financial management shall determine the
39 amounts due to or from the federal government pursuant to the cash

1 management improvement act. The office of financial management may
2 direct transfers of funds between accounts as deemed necessary to
3 implement the provisions of the cash management improvement act, and
4 this subsection. Refunds or allocations shall occur prior to the
5 distributions of earnings set forth in subsection (4) of this
6 section.

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

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

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

1 fund, the department of retirement systems expense account, the
2 developmental disabilities community trust account, the diesel idle
3 reduction account, the drinking water assistance account, the
4 drinking water assistance administrative account, the early learning
5 facilities development account, the early learning facilities
6 revolving account, the Eastern Washington University capital projects
7 account, the education construction fund, the education legacy trust
8 account, the election account, the electric vehicle account, the
9 energy freedom account, the energy recovery act account, the
10 essential rail assistance account, The Evergreen State College
11 capital projects account, the federal forest revolving account, the
12 ferry bond retirement fund, the freight mobility investment account,
13 the freight mobility multimodal account, the grade crossing
14 protective fund, the public health services account, the state higher
15 education construction account, the higher education construction
16 account, the highway bond retirement fund, the highway infrastructure
17 account, the highway safety fund, the hospital safety net assessment
18 fund, the industrial insurance premium refund account, the Interstate
19 405 and state route number 167 express toll lanes account, the
20 judges' retirement account, the judicial retirement administrative
21 account, the judicial retirement principal account, the local
22 leasehold excise tax account, the local real estate excise tax
23 account, the local sales and use tax account, the marine resources
24 stewardship trust account, the medical aid account, the mobile home
25 park relocation fund, the money-purchase retirement savings
26 administrative account, the money-purchase retirement savings
27 principal account, the motor vehicle fund, the motorcycle safety
28 education account, the multimodal transportation account, the
29 multiuse roadway safety account, the municipal criminal justice
30 assistance account, the natural resources deposit account, the oyster
31 reserve land account, the pension funding stabilization account, the
32 perpetual surveillance and maintenance account, the pollution
33 liability insurance agency underground storage tank revolving
34 account, the public employees' retirement system plan 1 account, the
35 public employees' retirement system combined plan 2 and plan 3
36 account, the public facilities construction loan revolving account
37 beginning July 1, 2004, the public health supplemental account, the
38 public works assistance account, the Puget Sound capital construction
39 account, the Puget Sound ferry operations account, the Puget Sound
40 Gateway facility account, the Puget Sound taxpayer accountability

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

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

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

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

20 NEW SECTION. **Sec. 12.** Sections 1 through 10 and 13 of this act
21 constitute a new chapter in Title 74 RCW.

22 NEW SECTION. **Sec. 13.** This act expires July 1, 2024.

23 NEW SECTION. **Sec. 14.** This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of
25 the state government and its existing public institutions, and takes
26 effect immediately.

Passed by the Senate March 12, 2020.

Passed by the House March 12, 2020.

Approved by the Governor April 3, 2020.

Filed in Office of Secretary of State April 3, 2020.

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