CERTIFICATION OF ENROLLMENT

**SENATE BILL 5066**

Chapter 107, Laws of 2023

(partial veto)

68th Legislature

2023 Regular Session

HEALTH CARE BENEFIT MANAGERS—HEALTH CARRIER CONTRACT FILING

EFFECTIVE DATE: July 23, 2023

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| Passed by the Senate February 28, 2023  Yeas 48 Nays 0  DENNY HECK  **President of the Senate**  Passed by the House April 6, 2023  Yeas 96 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives** | CERTIFICATE  I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5066** as passed by the Senate and the House of Representatives on the dates hereon set forth.  SARAH BANNISTER  Secretary |
| Approved April 20, 2023 9:56 AM with the exception of section 2, which is vetoed. | April 21, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SENATE BILL 5066**

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Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Short, Rolfes, Cleveland, and Conway

AN ACT Relating to clarifying that health care benefit managers must file contracts with health carriers with the office of the insurance commissioner; amending RCW 48.200.040; and declaring an emergency.

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

**Sec.**  RCW 48.200.040 and 2020 c 240 s 4 are each amended to read as follows:

(1) A health care benefit manager may not provide health care benefit management services to a health carrier or employee benefits programs without a written agreement describing the rights and responsibilities of the parties conforming to the provisions of this chapter and any rules adopted by the commissioner to implement or enforce this chapter including rules governing contract content.

(2) A health care benefit manager must file with the commissioner in the form and manner prescribed by the commissioner, every benefit management contract and contract amendment between the health care benefit manager and a health carrier, provider, pharmacy, pharmacy services administration organization, or other health care benefit manager, entered into directly or indirectly in support of a contract with a carrier or employee benefits programs, within ((~~thirty~~)) 30 days following the effective date of the contract or contract amendment. Contracts and contract amendments between health care benefit managers and health carriers that were executed prior to the effective date of this section and remain in force must be filed with the commissioner no later than 60 days following the effective date of this section.

(3) Contracts filed under this section are confidential and not subject to public inspection under RCW 48.02.120(2), or public disclosure under chapter 42.56 RCW, if filed in accordance with the procedures for submitting confidential filings through the system for electronic rate and form filings and the general filing instructions as set forth by the commissioner. In the event the referenced filing fails to comply with the filing instructions setting forth the process to withhold the contract from public inspection, and the health care benefit manager indicates that the contract is to be withheld from public inspection, the commissioner must reject the filing and notify the health care benefit manager through the system for electronic rate and form filings to amend its filing to comply with the confidentiality filing instructions.

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

**--- END ---**

Passed by the Senate February 28, 2023.

Passed by the House April 6, 2023.

Approved by the Governor April 20, 2023, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State April 21, 2023.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 2, Senate Bill No. 5066 entitled:

"AN ACT Relating to clarifying that health care benefit managers must file contracts with health carriers with the office of the insurance commissioner."

I am vetoing Section 2 of this bill, which adds an emergency clause to be [the] bill. This bill is not addressing an emergency for which this bill needs to be enacted immediately. Therefore, I am vetoing the emergency clause, and the bill will be enacted 90 days from today.

For these reasons I have vetoed Section 2 of Senate Bill No. 5066.

With the exception of Section 2, Senate Bill No. 5066 is approved."