
SENATE BILL 5066

State of Washington

68th Legislature

2023 Regular Session

By Senators Short, Rolfes, Cleveland, and Conway

Prefiled 12/19/22. Read first time 01/09/23. Referred to Committee on Health & Long Term Care.

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

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

6 **Sec. 1.** RCW 48.200.040 and 2020 c 240 s 4 are each amended to
7 read as follows:

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

14 (2) A health care benefit manager must file with the commissioner
15 in the form and manner prescribed by the commissioner, every benefit
16 management contract and contract amendment between the health care
17 benefit manager and a health carrier, provider, pharmacy, pharmacy
18 services administration organization, or other health care benefit
19 manager, entered into directly or indirectly in support of a contract
20 with a carrier or employee benefits programs, within (~~(thirty)~~) 30
21 days following the effective date of the contract or contract

1 amendment. Contracts and contract amendments between health care
2 benefit managers and health carriers that were executed prior to the
3 effective date of this section and remain in force must be filed with
4 the commissioner no later than 60 days following the effective date
5 of this section.

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

19 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of
21 the state government and its existing public institutions, and takes
22 effect immediately.

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