

---

**SUBSTITUTE SENATE BILL 5696**

---

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Robinson and Hunt)

READ FIRST TIME 02/24/23.

1 AN ACT Relating to eligibility for participation in the public  
2 employees' benefits board for retired or disabled employees of  
3 counties, municipalities, and other political subdivisions; amending  
4 RCW 41.05.080; creating a new section; and declaring an emergency.

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

6 **Sec. 1.** RCW 41.05.080 and 2018 c 260 s 15 are each amended to  
7 read as follows:

8 (1) Under the qualifications, terms, conditions, and benefits set  
9 by the public employees' benefits board:

10 (a) (i) Retired or disabled state employees, retired or disabled  
11 school employees, retired or disabled employees of (~~county,~~  
12 ~~municipal~~) counties, municipalities, or other political  
13 subdivisions, or retired or disabled employees of tribal governments  
14 covered by this chapter may continue their participation in insurance  
15 plans and contracts after retirement or disablement.

16 (ii) The retired or disabled employees of a county, municipality,  
17 or other political subdivision whose contractual agreement with the  
18 authority terminates may continue their participation in insurance  
19 plans and contracts after the contractual agreement is terminated.  
20 The retired or disabled employees of a county, municipality, or other  
21 political subdivision whose contractual agreement with the authority

1 terminates are not eligible for any subsidy provided under RCW  
2 41.05.085;

3 (b) Separated employees may continue their participation in  
4 insurance plans and contracts if participation is selected  
5 immediately upon separation from employment;

6 (c) Surviving spouses, surviving state registered domestic  
7 partners, and dependent children of emergency service personnel  
8 killed in the line of duty may participate in insurance plans and  
9 contracts.

10 (2) Rates charged surviving spouses and surviving state  
11 registered domestic partners of emergency service personnel killed in  
12 the line of duty, retired or disabled employees, separated employees,  
13 spouses, or dependent children who are not eligible for parts A and B  
14 of medicare shall be based on the experience of the community-rated  
15 risk pool established under RCW 41.05.022.

16 (3) Rates charged to surviving spouses and surviving state  
17 registered domestic partners of emergency service personnel killed in  
18 the line of duty, retired or disabled employees, separated employees,  
19 spouses, or children who are eligible for parts A and B of medicare  
20 shall be calculated from a separate experience risk pool comprised  
21 only of individuals eligible for parts A and B of medicare; however,  
22 the premiums charged to medicare-eligible retirees and disabled  
23 employees shall be reduced by the amount of the subsidy provided  
24 under RCW 41.05.085, except as provided in subsection (1)(a)(ii) of  
25 this section.

26 (4) Surviving spouses, surviving state registered domestic  
27 partners, and dependent children of emergency service personnel  
28 killed in the line of duty and retired or disabled and separated  
29 employees shall be responsible for payment of premium rates developed  
30 by the authority which shall include the cost to the authority of  
31 providing insurance coverage including any amounts necessary for  
32 reserves and administration in accordance with this chapter. These  
33 self pay rates will be established based on a separate rate for the  
34 employee, the spouse, state registered domestic partners, and the  
35 children.

36 (5) The term "retired state employees" for the purpose of this  
37 section shall include but not be limited to members of the  
38 legislature whether voluntarily or involuntarily leaving state  
39 office.

1        NEW SECTION.    **Sec. 2.**    Any retired or disabled employee whose  
2 participation in insurance plans or contracts under RCW  
3 41.05.080(1)(a)(ii) ended due to the termination of the contractual  
4 agreement between the authority and a county, municipality, or other  
5 political subdivision on or before January 1, 2023, must be allowed  
6 to return and participate in insurance plans and contracts so long as  
7 the retired or disabled employee notifies the health care authority  
8 in writing by December 31, 2023, after which participation will begin  
9 on the first day of the month following the date the authority  
10 receives the retired or disabled employee's written notice.

11        NEW SECTION.    **Sec. 3.**    This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of  
13 the state government and its existing public institutions, and takes  
14 effect immediately.

--- END ---