

ESSB 6210 - H AMD TO APP COMM AMD (H-3768.1/26) **2496**

By Representative Marshall

NOT CONSIDERED 03/12/2026

1 On page 11, after line 20 of the striking amendment, insert the
2 following:

3 "Sec. 6. RCW 43.71.095 and 2021 c 246 s 7 are each amended to
4 read as follows:

5 (1) The exchange, in consultation with the commissioner, the
6 authority, an independent actuary, and other stakeholders, must
7 establish up to three standardized health plans for each of the
8 bronze, silver, and gold levels.

9 (a) The standardized health plans must be designed to reduce
10 deductibles, make more services available before the deductible,
11 provide predictable cost sharing, maximize subsidies, limit adverse
12 premium impacts, reduce barriers to maintaining and improving
13 health, and encourage choice based on value, while limiting
14 increases in health plan premium rates.

15 (b) The exchange may update the standardized health plans
16 annually.

17 (c) The exchange must provide a notice and public comment period
18 before finalizing each year's standardized health plans.

19 (d) The exchange must provide written notice of the standardized
20 health plans to licensed health carriers by January 31st before the
21 year in which the health plans are to be offered on the exchange.
22 The exchange may make modifications to the standardized plans after
23 January 31st to comply with changes to state or federal law or
24 regulations.

25 (2)(a) Beginning January 1, 2021, any health carrier offering a
26 qualified health plan on the exchange must offer the silver and gold
27 standardized health plans established under this section on the

1 exchange in each county where the carrier offers a qualified health
2 plan. If a health carrier offers a bronze health plan on the
3 exchange, it must offer the bronze standardized health plans
4 established under this section on the exchange in each county where
5 the carrier offers a qualified health plan.

6 (b)(i) Until December 31, 2022, a health carrier offering a
7 standardized health plan under this section may also offer
8 nonstandardized health plans on the exchange. Beginning January 1,
9 2023, a health carrier offering a standardized health plan under
10 this section may also offer up to two nonstandardized gold health
11 plans, two nonstandardized bronze health plans, one nonstandardized
12 silver health plan, one nonstandardized platinum health plan, and
13 one nonstandardized catastrophic health plan in each county where
14 the carrier offers a qualified health plan. The exchange may not
15 prohibit carriers from offering nonstandard health plans through any
16 health plan certification criteria, cascade care savings policy, or
17 any other policy.

18 (ii) The exchange, in consultation with the office of the
19 insurance commissioner, shall analyze the impact to exchange
20 consumers of offering only standard plans beginning in 2025 and
21 submit a report to the appropriate committees of the legislature by
22 December 1, 2023. The report must include an analysis of how plan
23 choice and affordability will be impacted for exchange consumers
24 across the state, including an analysis of offering a bronze
25 standardized high deductible health plan compatible with a health
26 savings account, and a gold standardized health plan closer in
27 actuarial value to the silver standardized health plan.

28 (iii) The actuarial value of nonstandardized silver health plans
29 offered on the exchange may not be less than the actuarial value of
30 the standardized silver health plan with the lowest actuarial value.

31 (c) A health carrier offering a standardized health plan on the
32 exchange under this section must continue to meet all requirements
33 for qualified health plan certification under RCW 43.71.065

34

1 including, but not limited to, requirements relating to rate review
2 and network adequacy."

3

4

5 Renumber the remaining section consecutively and correct any
6 internal references accordingly.

EFFECT: Prohibits the Health Benefit Exchange from prohibiting health carriers from offering non-standardized health plans through any health plan certification criteria, cascade care savings policy, or any other policy.

--- END ---