

SHB 1392 - S COMM AMD
By Committee on Ways & Means

ADOPTED AND ENGROSSED 04/14/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply
4 throughout this chapter and chapter 48.--- RCW (the new chapter
5 created in section 15 of this act) unless the context clearly
6 requires otherwise.

7 (1) "Authority" means the Washington state health care authority.

8 (2) "Commissioner" means the insurance commissioner or his or her
9 designee.

10 (3) "Covered lives" means all persons residing in Washington
11 state who are covered:

12 (a) Under a fully insured individual or group health plan issued
13 or delivered in Washington state; or

14 (b) By a medicaid managed care organization.

15 (4) "Health carrier" or "carrier" has the same meaning as defined
16 in RCW 48.43.005.

17 (5) "Health plan" has the same meaning as defined in RCW
18 48.43.005 and does not include medicare advantage plans established
19 under medicare part C or outpatient prescription drug plans
20 established under medicare part D.

21 (6) "Medicaid managed care organization" means a managed health
22 care system under contract with the state of Washington to provide
23 services to medicaid enrollees under RCW 74.09.522.

24 NEW SECTION. **Sec. 2.** (1) By September 1, 2025, the authority
25 shall submit any state plan amendments or waiver requests to the
26 centers for medicare and medicaid services that are necessary to
27 implement the medicaid access program established in section 6 of
28 this act.

29 (2) The assessment, collection, and disbursement of funds for
30 this program shall be conditional upon:

1 (a) Final approval by the centers for medicare and medicaid
2 services of any state plan amendments or waiver requests that are
3 necessary in order to implement the applicable sections of this
4 chapter including, if necessary, waiver of the broad-based or
5 uniformity requirements as specified under section 1903(w)(3)(E) of
6 the federal social security act and 42 C.F.R. Sec. 433.68(e);

7 (b) To the extent necessary, amendment of contracts between the
8 authority and managed care organizations to implement this chapter;
9 and

10 (c) Certification by the office of financial management that
11 appropriations have been adopted that fully support the rates
12 established in section 3 of this act for the upcoming fiscal year.

13 NEW SECTION. **Sec. 3.** (1) All health carriers and medicaid
14 managed care organizations shall pay an annual covered lives
15 assessment beginning January 1st of the plan year following the
16 approval in section 2(2)(a) of this act as follows:

17 (a) For assessments due the first plan year:

18 (i) The authority shall assess a per member per month assessment
19 of \$16 per covered life for medicaid managed care organizations; and

20 (ii) The commissioner shall assess a per member per month
21 assessment of \$0.50 per covered life for health carriers.

22 (b) On or before May 15th of the first plan year of assessments
23 due and on or before May 15th of each subsequent year, the authority
24 shall determine the covered lives assessment at the rate necessary to
25 fund the adjustment based on the inflation factor using the medicare
26 economic index for professional services rates in section 6 of this
27 act.

28 (c) The ratio of the total assessments collected from managed
29 care organizations and health carriers must be set as 36 to one,
30 respectively. Assessments for each calendar year shall be set
31 utilizing the proportion of fully insured to medicaid managed care
32 covered lives from the previous calendar year.

33 (2) The assessments as applied in subsection (1) of this section
34 are limited to:

35 (a) The first 2,300,000 member months of fully insured lives per
36 medicaid managed care organization on a per medicaid managed care
37 organization basis; and

38 (b) The first 2,300,000 member months of fully insured lives per
39 health carrier. For each health carrier, the assessment shall apply

1 to member months of all group health plan lives first, followed by
2 member months of individual health plans lives.

3 (3) If an assessment against a health carrier or medicaid managed
4 care organization is prohibited by court order, the assessment for
5 the remaining health carriers and medicaid managed care organizations
6 may be adjusted in a manner consistent with subsection (1) of this
7 section to ensure that the assessment amount calculated in subsection
8 (1)(b) of this section will be collected.

9 (4) The authority shall annually notify, in writing, each
10 medicaid managed care organization of the estimated total assessment
11 and its payment obligation for the upcoming year. The authority shall
12 determine a payment schedule for receipt of assessments under this
13 section in accordance with the medicaid access program rules as
14 defined by the authority. Payment collections may be made no more
15 frequently than quarterly.

16 (5) Payments from managed care organizations are due to the
17 authority within 45 days of the payment schedule determined under
18 subsection (4) of this section. The authority shall charge interest
19 as defined by RCW 43.17.240, which begins to accrue on the 46th day,
20 on amounts received after the 45-day period. The authority may allow
21 each managed care organization in arrears to submit a payment plan,
22 subject to approval by the authority and initial payment under an
23 approved payment plan.

24 (6) The authority may abate or defer, in whole or in part, the
25 assessment of a managed care organization if, in the opinion of the
26 authority, payment of the assessment would endanger the ability of
27 the managed care organization to fulfill its contractual obligations
28 under chapter 74.09 RCW. If an assessment against a managed care
29 organization is abated or deferred in whole or in part, the amount by
30 which such assessment is abated or deferred may be assessed against
31 the other managed care organizations in a manner consistent with the
32 basis for assessments in subsection (1) of this section. The managed
33 care organization receiving such abatement or deferment remains
34 liable to the program for the deficiency plus interest the rate
35 established in RCW 43.17.240. Upon receipt of payment of any
36 abatement or deferment by a managed care organization, the authority
37 shall adjust future assessments made against other managed care
38 organizations under this subsection to reflect receipt of the
39 payment.

1 (7) The authority shall deposit annual assessments and interest
2 collected under this section with the state treasurer to the credit
3 of the medicaid access program account created in section 5 of this
4 act.

5 (8) Managed care organizations shall submit any annual statements
6 or other reports deemed necessary by the authority to calculate the
7 assessment under this section in a manner consistent with the
8 schedule and procedures in accordance with the medicaid access
9 program rules as defined by the authority.

10 NEW SECTION. **Sec. 4.** (1) All health carriers and medicaid
11 managed care organizations shall pay an annual covered lives
12 assessment under section 3 of this act.

13 (2) The commissioner shall assess a per member per month
14 assessment for health carriers pursuant to section 3 of this act.

15 (3) The commissioner shall annually notify, in writing, each
16 health carrier of the estimated total assessment and its payment
17 obligation for the upcoming year. The commissioner shall determine a
18 payment schedule for receipt of assessments under this section in
19 accordance with the medicaid access program rules established by the
20 authority. Payment collections may be made no more frequently than
21 quarterly.

22 (4) Payments from health carriers are due to the commissioner
23 within 45 days of the payment schedule determined under subsection
24 (3) of this section. The commissioner shall charge interest as
25 defined by RCW 43.17.240, which begins to accrue on the 46th day, on
26 amounts received after the 45-day period. The commissioner may allow
27 each health carrier in arrears to submit a payment plan, subject to
28 approval by the commissioner and initial payment under an approved
29 payment plan.

30 (5) The commissioner shall deposit annual assessments and
31 interest collected under this section with the state treasurer to the
32 credit of the medicaid access program account created in section 5 of
33 this act.

34 (6) Health carriers shall submit any annual statements or other
35 reports deemed necessary by the commissioner for the health care
36 authority to calculate the assessment in a manner consistent with the
37 schedule and procedures in accordance with section 3 of this act.

1 NEW SECTION. **Sec. 5.** (1) The medicaid access program account is
2 created in the state treasury. All receipts from the assessments,
3 interest, and penalties collected by the authority and commissioner
4 under sections 3 and 4 of this act must be deposited into the
5 account. Moneys in the account may be spent only after appropriation.
6 Expenditures from the account may be used only for the administration
7 and implementation of the medicaid access program as established in
8 section 6 of this act.

9 (2) Disbursements from the account may be made only:

10 (a) To make payments to health care providers and managed care
11 organizations;

12 (b) To medicaid managed care organizations to fund the nonfederal
13 share of increased capitation payments based on their projected
14 assessment obligation established by the medicaid access program and
15 the medicaid managed care rate setting process;

16 (c) To refund erroneous or excessive payments made by health
17 carriers and medicaid managed care organizations;

18 (d) To pay for administrative expenses incurred by the authority
19 in performing the activities authorized by this chapter;

20 (e) To be used in lieu of state general fund payments for
21 medicaid services in an amount not to exceed \$35,000,000 in the first
22 fiscal year following the approval in section 2(2)(a) of this act and
23 assessment by the authority authorized in section 3(1)(a)(i) of this
24 act;

25 (f) To repay the federal government for any excess payments made
26 to health care providers from the account if the assessments or
27 payment increases set forth by the medicaid access program are deemed
28 out of compliance with federal statutes and regulations in a final
29 determination by a court of competent jurisdiction with all appeals
30 exhausted. In such a case, the authority may require health care
31 providers receiving excess payments to refund the payments in
32 question to the account. The state in turn shall return funds to the
33 federal government in the same proportion as the original financing.
34 If a health care provider is unable to refund payments, the state
35 shall develop either a payment plan, deduct moneys from future
36 medicaid payments, or both; and

37 (g) To pay up to \$2,000,000 for administrative and service-
38 related costs to expand medicaid access in schools by maximizing
39 medicaid funding opportunities to support the school-based health

1 services program, school-based health centers, and on-site behavioral
2 health services.

3 NEW SECTION. **Sec. 6.** (1) The medicaid access program is hereby
4 created.

5 (2) By January 1st of the second plan year after conditions of
6 section 2 of this act are met, professional services rates for
7 anesthesia, diagnostics, intense outpatient, opioid treatment
8 programs, emergency room, inpatient and outpatient surgery, inpatient
9 visits, low-level behavioral health, maternity services, office and
10 home visits, consults, office administered drugs, vision, and other
11 physician services, for services that are not reimbursed at or above
12 medicare rates as of December 31, 2024, must be increased uniformly
13 across professional service categories by a percentage of
14 corresponding medicare rates as of December 31, 2024, based on
15 availability of funds in the account created in section 5 of this act
16 for rate increases from collections in the preceding plan year.

17 (3) By January 1st of the third plan year after the conditions of
18 section 2 of this act are met, and annually thereafter, the rates for
19 all services listed in subsection (2) of this section shall be
20 adjusted using the most recently published medicare economic index
21 available at the time rates are established for the plan year.

22 (4)(a) Beginning January 1st of the third plan year after the
23 conditions of section 2 of this act are met and by January 1st in
24 each of the two subsequent plan years, the authority shall study the
25 impact of the professional services rate increases described in this
26 section on medicaid access. The authority shall provide information
27 to fiscal and health committees of the legislature whether these rate
28 increases have increased access for medicaid enrollees, using metrics
29 including but not limited to:

30 (i) Increases in utilization of services from licensed health
31 care providers;

32 (ii) Number of contracts with identifiable provider types
33 enrolled to provide services to medicaid enrollees;

34 (iii) Patient access measures in the CAHPS health plan surveys of
35 managed care organizations; and

36 (iv) Other external quality review metrics.

37 (b) The authority shall provide the information in a fashion that
38 disaggregates managed care organizations and fee-for-service.

1 powers and duties assigned to the program. This section does not
2 prohibit legal actions against the program to enforce the program's
3 statutory or contractual duties or obligations.

4 **Sec. 12.** RCW 43.84.092 and 2024 c 210 s 4 and 2024 c 168 s 12
5 are each reenacted and amended to read as follows:

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

9 (2) The treasury income account shall be utilized to pay or
10 receive funds associated with federal programs as required by the
11 federal cash management improvement act of 1990. The treasury income
12 account is subject in all respects to chapter 43.88 RCW, but no
13 appropriation is required for refunds or allocations of interest
14 earnings required by the cash management improvement act. Refunds of
15 interest to the federal treasury required under the cash management
16 improvement act fall under RCW 43.88.180 and shall not require
17 appropriation. The office of financial management shall determine the
18 amounts due to or from the federal government pursuant to the cash
19 management improvement act. The office of financial management may
20 direct transfers of funds between accounts as deemed necessary to
21 implement the provisions of the cash management improvement act, and
22 this subsection. Refunds or allocations shall occur prior to the
23 distributions of earnings set forth in subsection (4) of this
24 section.

25 (3) Except for the provisions of RCW 43.84.160, the treasury
26 income account may be utilized for the payment of purchased banking
27 services on behalf of treasury funds including, but not limited to,
28 depository, safekeeping, and disbursement functions for the state
29 treasury and affected state agencies. The treasury income account is
30 subject in all respects to chapter 43.88 RCW, but no appropriation is
31 required for payments to financial institutions. Payments shall occur
32 prior to distribution of earnings set forth in subsection (4) of this
33 section.

34 (4) Monthly, the state treasurer shall distribute the earnings
35 credited to the treasury income account. The state treasurer shall
36 credit the general fund with all the earnings credited to the
37 treasury income account except:

38 (a) The following accounts and funds shall receive their
39 proportionate share of earnings based upon each account's and fund's

1 average daily balance for the period: The abandoned recreational
2 vehicle disposal account, the aeronautics account, the Alaskan Way
3 viaduct replacement project account, the ambulance transport fund,
4 the budget stabilization account, the capital vessel replacement
5 account, the capitol building construction account, the Central
6 Washington University capital projects account, the charitable,
7 educational, penal and reformatory institutions account, the Chehalis
8 basin account, the Chehalis basin taxable account, the clean fuels
9 credit account, the clean fuels transportation investment account,
10 the cleanup settlement account, the climate active transportation
11 account, the climate transit programs account, the Columbia river
12 basin water supply development account, the Columbia river basin
13 taxable bond water supply development account, the Columbia river
14 basin water supply revenue recovery account, the common school
15 construction fund, the community forest trust account, the connecting
16 Washington account, the county arterial preservation account, the
17 county criminal justice assistance account, the covenant
18 homeownership account, the deferred compensation administrative
19 account, the deferred compensation principal account, the department
20 of licensing services account, the department of retirement systems
21 expense account, the developmental disabilities community services
22 account, the diesel idle reduction account, the opioid abatement
23 settlement account, the drinking water assistance account, the
24 administrative subaccount of the drinking water assistance account,
25 the early learning facilities development account, the early learning
26 facilities revolving account, the Eastern Washington University
27 capital projects account, the education construction fund, the
28 education legacy trust account, the election account, the electric
29 vehicle account, the energy freedom account, the energy recovery act
30 account, the essential rail assistance account, The Evergreen State
31 College capital projects account, the fair start for kids account,
32 the family medicine workforce development account, the ferry bond
33 retirement fund, the fish, wildlife, and conservation account, the
34 freight mobility investment account, the freight mobility multimodal
35 account, the grade crossing protective fund, the higher education
36 retirement plan supplemental benefit fund, the Washington student
37 loan account, the highway bond retirement fund, the highway
38 infrastructure account, the highway safety fund, the hospital safety
39 net assessment fund, the Interstate 5 bridge replacement project
40 account, the Interstate 405 and state route number 167 express toll

1 lanes account, the judges' retirement account, the judicial
2 retirement administrative account, the judicial retirement principal
3 account, the limited fish and wildlife account, the local leasehold
4 excise tax account, the local real estate excise tax account, the
5 local sales and use tax account, the marine resources stewardship
6 trust account, the medical aid account, the money-purchase retirement
7 savings administrative account, the money-purchase retirement savings
8 principal account, the motor vehicle fund, the motorcycle safety
9 education account, the move ahead WA account, the move ahead WA
10 flexible account, the multimodal transportation account, the multiuse
11 roadway safety account, the municipal criminal justice assistance
12 account, the oyster reserve land account, the pension funding
13 stabilization account, the perpetual surveillance and maintenance
14 account, the pilotage account, the pollution liability insurance
15 agency underground storage tank revolving account, the medicaid
16 access program account, the public employees' retirement system plan
17 1 account, the public employees' retirement system combined plan 2
18 and plan 3 account, the public facilities construction loan revolving
19 account, the public health supplemental account, the public works
20 assistance account, the Puget Sound capital construction account, the
21 Puget Sound ferry operations account, the Puget Sound Gateway
22 facility account, the Puget Sound taxpayer accountability account,
23 the real estate appraiser commission account, the recreational
24 vehicle account, the regional mobility grant program account, the
25 reserve officers' relief and pension principal fund, the resource
26 management cost account, the rural arterial trust account, the rural
27 mobility grant program account, the rural Washington loan fund, the
28 second injury fund, the sexual assault prevention and response
29 account, the site closure account, the skilled nursing facility
30 safety net trust fund, the small city pavement and sidewalk account,
31 the special category C account, the special wildlife account, the
32 state hazard mitigation revolving loan account, the state investment
33 board expense account, the state investment board commingled trust
34 fund accounts, the state patrol highway account, the state
35 reclamation revolving account, the state route number 520 civil
36 penalties account, the state route number 520 corridor account, the
37 statewide broadband account, the statewide tourism marketing account,
38 the supplemental pension account, the Tacoma Narrows toll bridge
39 account, the teachers' retirement system plan 1 account, the
40 teachers' retirement system combined plan 2 and plan 3 account, the

1 tobacco prevention and control account, the tobacco settlement
2 account, the toll facility bond retirement account, the
3 transportation 2003 account (nickel account), the transportation
4 equipment fund, the JUDY transportation future funding program
5 account, the transportation improvement account, the transportation
6 improvement board bond retirement account, the transportation
7 infrastructure account, the transportation partnership account, the
8 traumatic brain injury account, the tribal opioid prevention and
9 treatment account, the University of Washington bond retirement fund,
10 the University of Washington building account, the voluntary cleanup
11 account, the volunteer firefighters' relief and pension principal
12 fund, the volunteer firefighters' and reserve officers'
13 administrative fund, the vulnerable roadway user education account,
14 the Washington judicial retirement system account, the Washington law
15 enforcement officers' and firefighters' system plan 1 retirement
16 account, the Washington law enforcement officers' and firefighters'
17 system plan 2 retirement account, the Washington public safety
18 employees' plan 2 retirement account, the Washington school
19 employees' retirement system combined plan 2 and 3 account, the
20 Washington state patrol retirement account, the Washington State
21 University building account, the Washington State University bond
22 retirement fund, the water pollution control revolving administration
23 account, the water pollution control revolving fund, the Western
24 Washington University capital projects account, the Yakima integrated
25 plan implementation account, the Yakima integrated plan
26 implementation revenue recovery account, and the Yakima integrated
27 plan implementation taxable bond account. Earnings derived from
28 investing balances of the agricultural permanent fund, the normal
29 school permanent fund, the permanent common school fund, the
30 scientific permanent fund, and the state university permanent fund
31 shall be allocated to their respective beneficiary accounts.

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

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

1 **Sec. 13.** RCW 43.84.092 and 2024 c 210 s 5 and 2024 c 168 s 13
2 are each reenacted and amended to read as follows:

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

6 (2) The treasury income account shall be utilized to pay or
7 receive funds associated with federal programs as required by the
8 federal cash management improvement act of 1990. The treasury income
9 account is subject in all respects to chapter 43.88 RCW, but no
10 appropriation is required for refunds or allocations of interest
11 earnings required by the cash management improvement act. Refunds of
12 interest to the federal treasury required under the cash management
13 improvement act fall under RCW 43.88.180 and shall not require
14 appropriation. The office of financial management shall determine the
15 amounts due to or from the federal government pursuant to the cash
16 management improvement act. The office of financial management may
17 direct transfers of funds between accounts as deemed necessary to
18 implement the provisions of the cash management improvement act, and
19 this subsection. Refunds or allocations shall occur prior to the
20 distributions of earnings set forth in subsection (4) of this
21 section.

22 (3) Except for the provisions of RCW 43.84.160, the treasury
23 income account may be utilized for the payment of purchased banking
24 services on behalf of treasury funds including, but not limited to,
25 depository, safekeeping, and disbursement functions for the state
26 treasury and affected state agencies. The treasury income account is
27 subject in all respects to chapter 43.88 RCW, but no appropriation is
28 required for payments to financial institutions. Payments shall occur
29 prior to distribution of earnings set forth in subsection (4) of this
30 section.

31 (4) Monthly, the state treasurer shall distribute the earnings
32 credited to the treasury income account. The state treasurer shall
33 credit the general fund with all the earnings credited to the
34 treasury income account except:

35 (a) The following accounts and funds shall receive their
36 proportionate share of earnings based upon each account's and fund's
37 average daily balance for the period: The abandoned recreational
38 vehicle disposal account, the aeronautics account, the Alaskan Way
39 viaduct replacement project account, the budget stabilization
40 account, the capital vessel replacement account, the capitol building

1 construction account, the Central Washington University capital
2 projects account, the charitable, educational, penal and reformatory
3 institutions account, the Chehalis basin account, the Chehalis basin
4 taxable account, the clean fuels credit account, the clean fuels
5 transportation investment account, the cleanup settlement account,
6 the climate active transportation account, the climate transit
7 programs account, the Columbia river basin water supply development
8 account, the Columbia river basin taxable bond water supply
9 development account, the Columbia river basin water supply revenue
10 recovery account, the common school construction fund, the community
11 forest trust account, the connecting Washington account, the county
12 arterial preservation account, the county criminal justice assistance
13 account, the covenant homeownership account, the deferred
14 compensation administrative account, the deferred compensation
15 principal account, the department of licensing services account, the
16 department of retirement systems expense account, the developmental
17 disabilities community services account, the diesel idle reduction
18 account, the opioid abatement settlement account, the drinking water
19 assistance account, the administrative subaccount of the drinking
20 water assistance account, the early learning facilities development
21 account, the early learning facilities revolving account, the Eastern
22 Washington University capital projects account, the education
23 construction fund, the education legacy trust account, the election
24 account, the electric vehicle account, the energy freedom account,
25 the energy recovery act account, the essential rail assistance
26 account, The Evergreen State College capital projects account, the
27 fair start for kids account, the family medicine workforce
28 development account, the ferry bond retirement fund, the fish,
29 wildlife, and conservation account, the freight mobility investment
30 account, the freight mobility multimodal account, the grade crossing
31 protective fund, the higher education retirement plan supplemental
32 benefit fund, the Washington student loan account, the highway bond
33 retirement fund, the highway infrastructure account, the highway
34 safety fund, the hospital safety net assessment fund, the Interstate
35 5 bridge replacement project account, the Interstate 405 and state
36 route number 167 express toll lanes account, the judges' retirement
37 account, the judicial retirement administrative account, the judicial
38 retirement principal account, the limited fish and wildlife account,
39 the local leasehold excise tax account, the local real estate excise
40 tax account, the local sales and use tax account, the marine

1 resources stewardship trust account, the medical aid account, the
2 money-purchase retirement savings administrative account, the money-
3 purchase retirement savings principal account, the motor vehicle
4 fund, the motorcycle safety education account, the move ahead WA
5 account, the move ahead WA flexible account, the multimodal
6 transportation account, the multiuse roadway safety account, the
7 municipal criminal justice assistance account, the oyster reserve
8 land account, the pension funding stabilization account, the
9 perpetual surveillance and maintenance account, the pilotage account,
10 the pollution liability insurance agency underground storage tank
11 revolving account, the medicaid access program account, the public
12 employees' retirement system plan 1 account, the public employees'
13 retirement system combined plan 2 and plan 3 account, the public
14 facilities construction loan revolving account, the public health
15 supplemental account, the public works assistance account, the Puget
16 Sound capital construction account, the Puget Sound ferry operations
17 account, the Puget Sound Gateway facility account, the Puget Sound
18 taxpayer accountability account, the real estate appraiser commission
19 account, the recreational vehicle account, the regional mobility
20 grant program account, the reserve officers' relief and pension
21 principal fund, the resource management cost account, the rural
22 arterial trust account, the rural mobility grant program account, the
23 rural Washington loan fund, the second injury fund, the sexual
24 assault prevention and response account, the site closure account,
25 the skilled nursing facility safety net trust fund, the small city
26 pavement and sidewalk account, the special category C account, the
27 special wildlife account, the state hazard mitigation revolving loan
28 account, the state investment board expense account, the state
29 investment board commingled trust fund accounts, the state patrol
30 highway account, the state reclamation revolving account, the state
31 route number 520 civil penalties account, the state route number 520
32 corridor account, the statewide broadband account, the statewide
33 tourism marketing account, the supplemental pension account, the
34 Tacoma Narrows toll bridge account, the teachers' retirement system
35 plan 1 account, the teachers' retirement system combined plan 2 and
36 plan 3 account, the tobacco prevention and control account, the
37 tobacco settlement account, the toll facility bond retirement
38 account, the transportation 2003 account (nickel account), the
39 transportation equipment fund, the JUDY transportation future funding
40 program account, the transportation improvement account, the

1 transportation improvement board bond retirement account, the
2 transportation infrastructure account, the transportation partnership
3 account, the traumatic brain injury account, the tribal opioid
4 prevention and treatment account, the University of Washington bond
5 retirement fund, the University of Washington building account, the
6 voluntary cleanup account, the volunteer firefighters' relief and
7 pension principal fund, the volunteer firefighters' and reserve
8 officers' administrative fund, the vulnerable roadway user education
9 account, the Washington judicial retirement system account, the
10 Washington law enforcement officers' and firefighters' system plan 1
11 retirement account, the Washington law enforcement officers' and
12 firefighters' system plan 2 retirement account, the Washington public
13 safety employees' plan 2 retirement account, the Washington school
14 employees' retirement system combined plan 2 and 3 account, the
15 Washington state patrol retirement account, the Washington State
16 University building account, the Washington State University bond
17 retirement fund, the water pollution control revolving administration
18 account, the water pollution control revolving fund, the Western
19 Washington University capital projects account, the Yakima integrated
20 plan implementation account, the Yakima integrated plan
21 implementation revenue recovery account, and the Yakima integrated
22 plan implementation taxable bond account. Earnings derived from
23 investing balances of the agricultural permanent fund, the normal
24 school permanent fund, the permanent common school fund, the
25 scientific permanent fund, and the state university permanent fund
26 shall be allocated to their respective beneficiary accounts.

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

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

36 NEW SECTION. **Sec. 14.** Sections 1 through 3, 5 through 8, and 10
37 of this act constitute a new chapter in Title 74 RCW.

1 NEW SECTION. **Sec. 15.** Sections 4, 9, and 11 of this act
2 constitute a new chapter in Title 48 RCW.

3 NEW SECTION. **Sec. 16.** The provisions of this act are not
4 severable. In the event that any portion of this act shall have been
5 validly implemented and the entire act is later rendered ineffective,
6 prior assessments and payments under the validly implemented portions
7 shall not be affected.

8 NEW SECTION. **Sec. 17.** Sections 1 through 12, 14 through 16, and
9 18 through 20 of this act are necessary for the immediate
10 preservation of the public peace, health, or safety, or support of
11 the state government and its existing public institutions, and take
12 effect immediately.

13 NEW SECTION. **Sec. 18.** (1) This act expires if by January 1,
14 2027, the federal centers for medicare and medicaid services does not
15 provide final approval of the state plan amendment or waiver requests
16 under section 2 of this act.

17 (2) The Washington state health care authority must provide
18 written notice of the expiration date in subsection (1) of this
19 section to affected parties, the chief clerk of the house of
20 representatives, the secretary of the senate, the office of the code
21 reviser, and others as deemed appropriate by the authority.

22 NEW SECTION. **Sec. 19.** Section 12 of this act expires July 1,
23 2028.

24 NEW SECTION. **Sec. 20.** Section 13 of this act takes effect July
25 1, 2028.

26 NEW SECTION. **Sec. 21.** If specific funding for the purposes of
27 this act, referencing this act by bill or chapter number, is not
28 provided by June 30, 2025, in the omnibus appropriations act, this
29 act is null and void."

ADOPTED 04/14/2025

1 On page 1, line 1 of the title, after "program;" strike the
2 remainder of the title and insert "reenacting and amending RCW
3 43.84.092 and 43.84.092; adding a new chapter to Title 74 RCW; adding
4 a new chapter to Title 48 RCW; creating new sections; providing an
5 effective date; providing an expiration date; providing a contingent
6 expiration date; and declaring an emergency."

--- END ---