
HOUSE BILL 1392

State of Washington

69th Legislature

2025 Regular Session

By Representatives Macri, Leavitt, Simmons, Davis, Berry, Ryu, Callan, Rule, Stearns, Peterson, Taylor, Reed, Ramel, Alvarado, Doglio, Tharinger, Fey, Salahuddin, Bernbaum, Fosse, Pollet, Street, Scott, and Santos

Read first time 01/20/25. Referred to Committee on Appropriations.

1 AN ACT Relating to creating the medicaid access program;
2 reenacting and amending RCW 43.84.092 and 43.84.092; adding a new
3 chapter to Title 74 RCW; adding a new chapter to Title 48 RCW;
4 creating a new section; providing an effective date; providing an
5 expiration date; providing a contingent expiration date; and
6 declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** The definitions in this section apply
9 throughout this chapter and chapter 48.--- RCW (the new chapter
10 created in section 15 of this act) unless the context clearly
11 requires otherwise.

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

13 (2) "Commissioner" means the insurance commissioner or his or her
14 designee.

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

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

19 (b) By a medicaid managed care organization.

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

1 (5) "Health plan" has the same meaning as defined in RCW
2 48.43.005 and does not include medicare advantage plans established
3 under medicare part C or outpatient prescription drug plans
4 established under medicare part D.

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

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

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

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

21 (b) To the extent necessary, amendment of contracts between the
22 authority and managed care organizations to implement this chapter;
23 and

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

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

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

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

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

36 (b) On or before May 15th of the first plan year of assessments
37 due and on or before May 15th of each subsequent year, the authority
38 shall determine the covered lives assessment at the rate necessary to

1 fund the professional services rate increases in section 6 of this
2 act.

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

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

10 (a) The first 3,000,000 member months of fully insured lives per
11 medicaid managed care organization on a per medicaid managed care
12 organization basis; and

13 (b) The first 3,000,000 member months of fully insured lives per
14 health carrier. For each health carrier, the assessment shall apply
15 to member months of all group health plan lives first, followed by
16 member months of individual health plans lives.

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

23 (4) The authority shall annually notify, in writing, each
24 medicaid managed care organization of the estimated total assessment
25 and its payment obligation for the upcoming year. The authority shall
26 determine a payment schedule for receipt of assessments under this
27 section in accordance with the medicaid access program rules as
28 defined by the authority. Payment collections may be made no more
29 frequently than quarterly.

30 (5) Payments from managed care organizations are due to the
31 authority within 45 days of the payment schedule determined under
32 subsection (4) of this section. The authority shall charge interest
33 as defined by RCW 43.17.240, which begins to accrue on the 46th day,
34 on amounts received after the 45-day period. The authority may allow
35 each managed care organization in arrears to submit a payment plan,
36 subject to approval by the authority and initial payment under an
37 approved payment plan.

38 (6) The authority may abate or defer, in whole or in part, the
39 assessment of a managed care organization if, in the opinion of the
40 authority, payment of the assessment would endanger the ability of

1 the managed care organization to fulfill its contractual obligations
2 under chapter 74.09 RCW. If an assessment against a managed care
3 organization is abated or deferred in whole or in part, the amount by
4 which such assessment is abated or deferred may be assessed against
5 the other managed care organizations in a manner consistent with the
6 basis for assessments in subsection (1) of this section. The managed
7 care organization receiving such abatement or deferment remains
8 liable to the program for the deficiency plus interest the rate
9 established in RCW 43.17.240. Upon receipt of payment of any
10 abatement or deferment by a managed care organization, the authority
11 shall adjust future assessments made against other managed care
12 organizations under this subsection to reflect receipt of the
13 payment.

14 (7) The authority shall deposit annual assessments and interest
15 collected under this section with the state treasurer to the credit
16 of the medicaid access program account created in section 5 of this
17 act.

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

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

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

28 (3) The commissioner shall annually notify, in writing, each
29 health carrier of the estimated total assessment and its payment
30 obligation for the upcoming year. The commissioner shall determine a
31 payment schedule for receipt of assessments under this section in
32 accordance with the medicaid access program rules established by the
33 authority. Payment collections may be made no more frequently than
34 quarterly.

35 (4) Payments from health carriers are due to the commissioner
36 within 45 days of the payment schedule determined under subsection
37 (3) of this section. The commissioner shall charge interest as
38 defined by RCW 43.17.240, which begins to accrue on the 46th day, on
39 amounts received after the 45-day period. The commissioner may allow

1 each health carrier in arrears to submit a payment plan, subject to
2 approval by the commissioner and initial payment under an approved
3 payment plan.

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

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

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

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

21 (a) To make payments to health care providers and managed care
22 organizations;

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

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

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

1 shall develop either a payment plan, deduct moneys from future
2 medicaid payments, or both.

3 NEW SECTION. **Sec. 6.** (1) The purpose of the medicaid access
4 program is to increase, beginning January 1st of the second plan year
5 after the conditions of section 2 of this act are met, subject to
6 available funds and appropriations from the medicaid access program
7 account, professional services rates covered by medicaid including
8 fee-for-service and managed care up to the corresponding medicare
9 rates as of December 31, 2024, for the same service and site of
10 service. Rates for subsequent years shall be annually adjusted based
11 on the inflation factor using the medicare economic index.

12 (2) The service categories for the professional services rate
13 increases must include anesthesia, diagnostics, intense outpatient,
14 opioid treatment programs, emergency room, inpatient and outpatient
15 surgery, inpatient visits, low-level behavioral health, maternity
16 services, office and home visits, consults, office administered
17 drugs, and other physician services. If sufficient funds are not
18 available to increase medicaid rates to corresponding medicare rates,
19 the authority may increase medicaid rates to a percentage of
20 corresponding medicare rates, applied uniformly across professional
21 service categories included in this subsection.

22 NEW SECTION. **Sec. 7.** Nothing in this act shall be construed to
23 alter the requirements: (1) Under 42 C.F.R. Sec. 438.4 that the rates
24 paid by the state to managed care organizations be actuarially sound;
25 and (2) that the state develop the rates in compliance with standards
26 under 42 C.F.R. Sec. 438.5.

27 NEW SECTION. **Sec. 8.** The authority may adopt rules and
28 undertake actions necessary to carry out sections 2, 3, and 6 of this
29 act including, but not limited to, rules prescribing the medicaid
30 access program plan of operations, measures to enforce reporting of
31 covered lives, audits of covered lives reporting, and payment of
32 applicable assessments.

33 NEW SECTION. **Sec. 9.** The commissioner may adopt rules and
34 undertake actions necessary to carry out section 4 of this act
35 including, but not limited to, rules prescribing the medicaid access
36 program plan of operations, measures to enforce reporting of covered

1 lives, audits of covered lives reporting, and payment of applicable
2 assessments.

3 NEW SECTION. **Sec. 10.** The medicaid access program, health
4 carriers and medicaid managed care organizations assessed by the
5 program, the authority, and employees of the authority are not
6 civilly or criminally liable and may not have any penalty or cause of
7 action of any nature arise against them for any action or inaction,
8 including any discretionary decision or failure to make a
9 discretionary decision, when the action or inaction is done in good
10 faith and in the performance of the powers and duties assigned to the
11 program. This section does not prohibit legal actions against the
12 program to enforce the program's statutory or contractual duties or
13 obligations.

14 NEW SECTION. **Sec. 11.** The medicaid access program, health
15 carriers and medicaid managed care organizations assessed by the
16 program, the commissioner, the commissioner's representatives, and
17 the commissioner's employees are not civilly or criminally liable and
18 may not have any penalty or cause of action of any nature arise
19 against them for any action or inaction, including any discretionary
20 decision or failure to make a discretionary decision, when the action
21 or inaction is done in good faith and in the performance of the
22 powers and duties assigned to the program. This section does not
23 prohibit legal actions against the program to enforce the program's
24 statutory or contractual duties or obligations.

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

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

30 (2) The treasury income account shall be utilized to pay or
31 receive funds associated with federal programs as required by the
32 federal cash management improvement act of 1990. The treasury income
33 account is subject in all respects to chapter 43.88 RCW, but no
34 appropriation is required for refunds or allocations of interest
35 earnings required by the cash management improvement act. Refunds of
36 interest to the federal treasury required under the cash management
37 improvement act fall under RCW 43.88.180 and shall not require

1 appropriation. The office of financial management shall determine the
2 amounts due to or from the federal government pursuant to the cash
3 management improvement act. The office of financial management may
4 direct transfers of funds between accounts as deemed necessary to
5 implement the provisions of the cash management improvement act, and
6 this subsection. Refunds or allocations shall occur prior to the
7 distributions of earnings set forth in subsection (4) of this
8 section.

9 (3) Except for the provisions of RCW 43.84.160, the treasury
10 income account may be utilized for the payment of purchased banking
11 services on behalf of treasury funds including, but not limited to,
12 depository, safekeeping, and disbursement functions for the state
13 treasury and affected state agencies. The treasury income account is
14 subject in all respects to chapter 43.88 RCW, but no appropriation is
15 required for payments to financial institutions. Payments shall occur
16 prior to distribution of earnings set forth in subsection (4) of this
17 section.

18 (4) Monthly, the state treasurer shall distribute the earnings
19 credited to the treasury income account. The state treasurer shall
20 credit the general fund with all the earnings credited to the
21 treasury income account except:

22 (a) The following accounts and funds shall receive their
23 proportionate share of earnings based upon each account's and fund's
24 average daily balance for the period: The abandoned recreational
25 vehicle disposal account, the aeronautics account, the Alaskan Way
26 viaduct replacement project account, the ambulance transport fund,
27 the budget stabilization account, the capital vessel replacement
28 account, the capitol building construction account, the Central
29 Washington University capital projects account, the charitable,
30 educational, penal and reformatory institutions account, the Chehalis
31 basin account, the Chehalis basin taxable account, the clean fuels
32 credit account, the clean fuels transportation investment account,
33 the cleanup settlement account, the climate active transportation
34 account, the climate transit programs account, the Columbia river
35 basin water supply development account, the Columbia river basin
36 taxable bond water supply development account, the Columbia river
37 basin water supply revenue recovery account, the common school
38 construction fund, the community forest trust account, the connecting
39 Washington account, the county arterial preservation account, the
40 county criminal justice assistance account, the covenant

1 homeownership account, the deferred compensation administrative
2 account, the deferred compensation principal account, the department
3 of licensing services account, the department of retirement systems
4 expense account, the developmental disabilities community services
5 account, the diesel idle reduction account, the opioid abatement
6 settlement account, the drinking water assistance account, the
7 administrative subaccount of the drinking water assistance account,
8 the early learning facilities development account, the early learning
9 facilities revolving account, the Eastern Washington University
10 capital projects account, the education construction fund, the
11 education legacy trust account, the election account, the electric
12 vehicle account, the energy freedom account, the energy recovery act
13 account, the essential rail assistance account, The Evergreen State
14 College capital projects account, the fair start for kids account,
15 the family medicine workforce development account, the ferry bond
16 retirement fund, the fish, wildlife, and conservation account, the
17 freight mobility investment account, the freight mobility multimodal
18 account, the grade crossing protective fund, the higher education
19 retirement plan supplemental benefit fund, the Washington student
20 loan account, the highway bond retirement fund, the highway
21 infrastructure account, the highway safety fund, the hospital safety
22 net assessment fund, the Interstate 5 bridge replacement project
23 account, the Interstate 405 and state route number 167 express toll
24 lanes account, the judges' retirement account, the judicial
25 retirement administrative account, the judicial retirement principal
26 account, the limited fish and wildlife account, the local leasehold
27 excise tax account, the local real estate excise tax account, the
28 local sales and use tax account, the marine resources stewardship
29 trust account, the medical aid account, the money-purchase retirement
30 savings administrative account, the money-purchase retirement savings
31 principal account, the motor vehicle fund, the motorcycle safety
32 education account, the move ahead WA account, the move ahead WA
33 flexible account, the multimodal transportation account, the multiuse
34 roadway safety account, the municipal criminal justice assistance
35 account, the oyster reserve land account, the pension funding
36 stabilization account, the perpetual surveillance and maintenance
37 account, the pilotage account, the pollution liability insurance
38 agency underground storage tank revolving account, the medicaid
39 access program account, the public employees' retirement system plan
40 1 account, the public employees' retirement system combined plan 2

1 and plan 3 account, the public facilities construction loan revolving
2 account, the public health supplemental account, the public works
3 assistance account, the Puget Sound capital construction account, the
4 Puget Sound ferry operations account, the Puget Sound Gateway
5 facility account, the Puget Sound taxpayer accountability account,
6 the real estate appraiser commission account, the recreational
7 vehicle account, the regional mobility grant program account, the
8 reserve officers' relief and pension principal fund, the resource
9 management cost account, the rural arterial trust account, the rural
10 mobility grant program account, the rural Washington loan fund, the
11 second injury fund, the sexual assault prevention and response
12 account, the site closure account, the skilled nursing facility
13 safety net trust fund, the small city pavement and sidewalk account,
14 the special category C account, the special wildlife account, the
15 state hazard mitigation revolving loan account, the state investment
16 board expense account, the state investment board commingled trust
17 fund accounts, the state patrol highway account, the state
18 reclamation revolving account, the state route number 520 civil
19 penalties account, the state route number 520 corridor account, the
20 statewide broadband account, the statewide tourism marketing account,
21 the supplemental pension account, the Tacoma Narrows toll bridge
22 account, the teachers' retirement system plan 1 account, the
23 teachers' retirement system combined plan 2 and plan 3 account, the
24 tobacco prevention and control account, the tobacco settlement
25 account, the toll facility bond retirement account, the
26 transportation 2003 account (nickel account), the transportation
27 equipment fund, the JUDY transportation future funding program
28 account, the transportation improvement account, the transportation
29 improvement board bond retirement account, the transportation
30 infrastructure account, the transportation partnership account, the
31 traumatic brain injury account, the tribal opioid prevention and
32 treatment account, the University of Washington bond retirement fund,
33 the University of Washington building account, the voluntary cleanup
34 account, the volunteer firefighters' relief and pension principal
35 fund, the volunteer firefighters' and reserve officers'
36 administrative fund, the vulnerable roadway user education account,
37 the Washington judicial retirement system account, the Washington law
38 enforcement officers' and firefighters' system plan 1 retirement
39 account, the Washington law enforcement officers' and firefighters'
40 system plan 2 retirement account, the Washington public safety

1 employees' plan 2 retirement account, the Washington school
2 employees' retirement system combined plan 2 and 3 account, the
3 Washington state patrol retirement account, the Washington State
4 University building account, the Washington State University bond
5 retirement fund, the water pollution control revolving administration
6 account, the water pollution control revolving fund, the Western
7 Washington University capital projects account, the Yakima integrated
8 plan implementation account, the Yakima integrated plan
9 implementation revenue recovery account, and the Yakima integrated
10 plan implementation taxable bond account. Earnings derived from
11 investing balances of the agricultural permanent fund, the normal
12 school permanent fund, the permanent common school fund, the
13 scientific permanent fund, and the state university permanent fund
14 shall be allocated to their respective beneficiary accounts.

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

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

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

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

29 (2) The treasury income account shall be utilized to pay or
30 receive funds associated with federal programs as required by the
31 federal cash management improvement act of 1990. The treasury income
32 account is subject in all respects to chapter 43.88 RCW, but no
33 appropriation is required for refunds or allocations of interest
34 earnings required by the cash management improvement act. Refunds of
35 interest to the federal treasury required under the cash management
36 improvement act fall under RCW 43.88.180 and shall not require
37 appropriation. The office of financial management shall determine the
38 amounts due to or from the federal government pursuant to the cash
39 management improvement act. The office of financial management may

1 direct transfers of funds between accounts as deemed necessary to
2 implement the provisions of the cash management improvement act, and
3 this subsection. Refunds or allocations shall occur prior to the
4 distributions of earnings set forth in subsection (4) of this
5 section.

6 (3) Except for the provisions of RCW 43.84.160, the treasury
7 income account may be utilized for the payment of purchased banking
8 services on behalf of treasury funds including, but not limited to,
9 depository, safekeeping, and disbursement functions for the state
10 treasury and affected state agencies. The treasury income account is
11 subject in all respects to chapter 43.88 RCW, but no appropriation is
12 required for payments to financial institutions. Payments shall occur
13 prior to distribution of earnings set forth in subsection (4) of this
14 section.

15 (4) Monthly, the state treasurer shall distribute the earnings
16 credited to the treasury income account. The state treasurer shall
17 credit the general fund with all the earnings credited to the
18 treasury income account except:

19 (a) The following accounts and funds shall receive their
20 proportionate share of earnings based upon each account's and fund's
21 average daily balance for the period: The abandoned recreational
22 vehicle disposal account, the aeronautics account, the Alaskan Way
23 viaduct replacement project account, the budget stabilization
24 account, the capital vessel replacement account, the capitol building
25 construction account, the Central Washington University capital
26 projects account, the charitable, educational, penal and reformatory
27 institutions account, the Chehalis basin account, the Chehalis basin
28 taxable account, the clean fuels credit account, the clean fuels
29 transportation investment account, the cleanup settlement account,
30 the climate active transportation account, the climate transit
31 programs account, the Columbia river basin water supply development
32 account, the Columbia river basin taxable bond water supply
33 development account, the Columbia river basin water supply revenue
34 recovery account, the common school construction fund, the community
35 forest trust account, the connecting Washington account, the county
36 arterial preservation account, the county criminal justice assistance
37 account, the covenant homeownership account, the deferred
38 compensation administrative account, the deferred compensation
39 principal account, the department of licensing services account, the
40 department of retirement systems expense account, the developmental

1 disabilities community services account, the diesel idle reduction
2 account, the opioid abatement settlement account, the drinking water
3 assistance account, the administrative subaccount of the drinking
4 water assistance account, the early learning facilities development
5 account, the early learning facilities revolving account, the Eastern
6 Washington University capital projects account, the education
7 construction fund, the education legacy trust account, the election
8 account, the electric vehicle account, the energy freedom account,
9 the energy recovery act account, the essential rail assistance
10 account, The Evergreen State College capital projects account, the
11 fair start for kids account, the family medicine workforce
12 development account, the ferry bond retirement fund, the fish,
13 wildlife, and conservation account, the freight mobility investment
14 account, the freight mobility multimodal account, the grade crossing
15 protective fund, the higher education retirement plan supplemental
16 benefit fund, the Washington student loan account, the highway bond
17 retirement fund, the highway infrastructure account, the highway
18 safety fund, the hospital safety net assessment fund, the Interstate
19 5 bridge replacement project account, the Interstate 405 and state
20 route number 167 express toll lanes account, the judges' retirement
21 account, the judicial retirement administrative account, the judicial
22 retirement principal account, the limited fish and wildlife account,
23 the local leasehold excise tax account, the local real estate excise
24 tax account, the local sales and use tax account, the marine
25 resources stewardship trust account, the medical aid account, the
26 money-purchase retirement savings administrative account, the money-
27 purchase retirement savings principal account, the motor vehicle
28 fund, the motorcycle safety education account, the move ahead WA
29 account, the move ahead WA flexible account, the multimodal
30 transportation account, the multiuse roadway safety account, the
31 municipal criminal justice assistance account, the oyster reserve
32 land account, the pension funding stabilization account, the
33 perpetual surveillance and maintenance account, the pilotage account,
34 the pollution liability insurance agency underground storage tank
35 revolving account, the medicaid access program account, the public
36 employees' retirement system plan 1 account, the public employees'
37 retirement system combined plan 2 and plan 3 account, the public
38 facilities construction loan revolving account, the public health
39 supplemental account, the public works assistance account, the Puget
40 Sound capital construction account, the Puget Sound ferry operations

1 account, the Puget Sound Gateway facility account, the Puget Sound
2 taxpayer accountability account, the real estate appraiser commission
3 account, the recreational vehicle account, the regional mobility
4 grant program account, the reserve officers' relief and pension
5 principal fund, the resource management cost account, the rural
6 arterial trust account, the rural mobility grant program account, the
7 rural Washington loan fund, the second injury fund, the sexual
8 assault prevention and response account, the site closure account,
9 the skilled nursing facility safety net trust fund, the small city
10 pavement and sidewalk account, the special category C account, the
11 special wildlife account, the state hazard mitigation revolving loan
12 account, the state investment board expense account, the state
13 investment board commingled trust fund accounts, the state patrol
14 highway account, the state reclamation revolving account, the state
15 route number 520 civil penalties account, the state route number 520
16 corridor account, the statewide broadband account, the statewide
17 tourism marketing account, the supplemental pension account, the
18 Tacoma Narrows toll bridge account, the teachers' retirement system
19 plan 1 account, the teachers' retirement system combined plan 2 and
20 plan 3 account, the tobacco prevention and control account, the
21 tobacco settlement account, the toll facility bond retirement
22 account, the transportation 2003 account (nickel account), the
23 transportation equipment fund, the JUDY transportation future funding
24 program account, the transportation improvement account, the
25 transportation improvement board bond retirement account, the
26 transportation infrastructure account, the transportation partnership
27 account, the traumatic brain injury account, the tribal opioid
28 prevention and treatment account, the University of Washington bond
29 retirement fund, the University of Washington building account, the
30 voluntary cleanup account, the volunteer firefighters' relief and
31 pension principal fund, the volunteer firefighters' and reserve
32 officers' administrative fund, the vulnerable roadway user education
33 account, the Washington judicial retirement system account, the
34 Washington law enforcement officers' and firefighters' system plan 1
35 retirement account, the Washington law enforcement officers' and
36 firefighters' system plan 2 retirement account, the Washington public
37 safety employees' plan 2 retirement account, the Washington school
38 employees' retirement system combined plan 2 and 3 account, the
39 Washington state patrol retirement account, the Washington State
40 University building account, the Washington State University bond

1 retirement fund, the water pollution control revolving administration
2 account, the water pollution control revolving fund, the Western
3 Washington University capital projects account, the Yakima integrated
4 plan implementation account, the Yakima integrated plan
5 implementation revenue recovery account, and the Yakima integrated
6 plan implementation taxable bond account. Earnings derived from
7 investing balances of the agricultural permanent fund, the normal
8 school permanent fund, the permanent common school fund, the
9 scientific permanent fund, and the state university permanent fund
10 shall be allocated to their respective beneficiary accounts.

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

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

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

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

24 NEW SECTION. **Sec. 16.** The provisions of this act are not
25 severable. In the event that any portion of this act shall have been
26 validly implemented and the entire act is later rendered ineffective,
27 prior assessments and payments under the validly implemented portions
28 shall not be affected.

29 NEW SECTION. **Sec. 17.** This act is necessary for the immediate
30 preservation of the public peace, health, or safety, or support of
31 the state government and its existing public institutions, and takes
32 effect immediately.

33 NEW SECTION. **Sec. 18.** This act expires if by January 1, 2027,
34 the federal centers for medicare and medicaid services does not

1 provide final approval of the state plan amendment or waiver requests
2 under section 2 of this act.

3 NEW SECTION. **Sec. 19.** Section 12 of this act expires July 1,
4 2028.

5 NEW SECTION. **Sec. 20.** Section 13 of this act takes effect July
6 1, 2028.

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