
SUBSTITUTE HOUSE BILL 2073

State of Washington

69th Legislature

2026 Regular Session

By House Appropriations (originally sponsored by Representatives Parshley, Macri, and Scott)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to funding for health insurance premium
2 assistance; adding a new section to chapter 48.43 RCW; and creating a
3 new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that nonprofit
6 health insurance carriers in the state are required to:

7 (a) Be committed to a nonprofit corporate structure;

8 (b) Provide individuals, businesses, and other groups with
9 affordable and accessible health insurance; and

10 (c) Recognize a responsibility to contribute to the improvement
11 of the overall health status of the residents of the jurisdictions in
12 which they operate.

13 (2) The legislature further finds that access to health insurance
14 and public services play a critical role in improving the health
15 status of Washington residents.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.43
17 RCW to read as follows:

18 (1)(a) By October 1, 2026, the commissioner must determine
19 whether a nonprofit health carrier's surplus is excessive.

1 (b) The surplus of a nonprofit health carrier must be determined
2 to be excessive if the surplus is 100 times the minimum net worth
3 level set in RCW 48.44.037(1)(a) as reported on the carrier's annual
4 statement required by RCW 48.05.250 for calendar year 2025.

5 (2) Except when a reduction in payment is permitted under
6 subsection (3) of this section, if the commissioner determines the
7 surplus of a nonprofit health carrier to be excessive, within 90 days
8 of the determination the nonprofit health carrier must pay 10 percent
9 of the excessive surplus to the commissioner's office for deposit
10 into the state health care affordability account created in RCW
11 43.71.130 to administer a premium assistance program, as established
12 in RCW 43.71.110.

13 (3)(a) Within 30 days of a determination by the commissioner that
14 a nonprofit health carrier's surplus is excessive, a nonprofit health
15 carrier may request a hearing by the commissioner to consider a
16 reduction in the required amount of excessive surplus payment to the
17 fund.

18 (b) The commissioner may only reduce a nonprofit health carrier's
19 payment to the fund if the nonprofit health carrier presents clear
20 and compelling evidence to the commissioner that the required amount
21 of excessive surplus payment would render the nonprofit health
22 carrier financially impaired under the laws of this state or any
23 other state in which the nonprofit health carrier is authorized to do
24 business.

25 (c) The hearing must be conducted in accordance with chapter
26 34.05 RCW.

27 (4) The commissioner may adopt rules to implement this section.

28 (5) For purposes of this section, "excessive surplus" means the
29 amount of a nonprofit health carrier's surplus is 100 times the
30 minimum net worth level set in RCW 48.44.037(1)(a).

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