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**SENATE BILL 5372**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Riccelli, Harris, Bateman, Lias, Nobles, and Valdez

Read first time 01/20/25. Referred to Committee on Health & Long-Term Care.

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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