
SENATE BILL 6173

State of Washington

69th Legislature

2026 Regular Session

By Senators Alvarado, Robinson, Dhingra, Bateman, Frame, Stanford, Pedersen, Lovelett, Trudeau, Hasegawa, Chapman, Cleveland, Conway, Nobles, Orwall, Riccelli, Saldaña, Valdez, and C. Wilson

Read first time 01/15/26. Referred to Committee on Ways & Means.

1 AN ACT Relating to creating an apple health employer assessment
2 to fund the health care affordability account; amending RCW
3 43.71.130; and adding a new chapter to Title 74 RCW.

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

5 NEW SECTION. **Sec. 1.** (1) Beginning in the calendar year
6 following the community engagement implementation year, an apple
7 health employer assessment is imposed on apple health employers. The
8 assessment equals the total member months for an apple health
9 employer during the preceding calendar year, multiplied by 100
10 percent of the medicaid fair share capitation amount.

11 (2) The apple health employer assessment shall be collected on a
12 quarterly basis in a form and manner required by the employment
13 security department that is consistent with the collection of
14 premiums under chapter 50A.10 RCW. One-fourth of the apple health
15 employer assessment shall be remitted by the apple health employer to
16 the department each calendar quarter.

17 (3) (a) By March 15th of the calendar year following the community
18 engagement implementation year and by March 15th of every year
19 thereafter, the department of social and health services shall
20 calculate the apple health employer assessment for each apple health
21 employer with data provided by the other administering agencies.

1 (b) The administering agencies shall enter into data-sharing
2 agreements to fulfill the requirements of this section.

3 (4) By April 1st of the calendar year following the community
4 engagement implementation year and by April 1st every year
5 thereafter, the employment security department shall notify apple
6 health employers of their apple health employer assessment obligation
7 for the current calendar year, which shall be remitted to the
8 employment security department as provided in subsection (2) of this
9 section.

10 (5) Moneys collected under this section must be deposited in the
11 state health care affordability account under RCW 43.71.130. Moneys
12 in the account may be spent only after appropriation.

13 (6) The definitions in this subsection apply to this section
14 unless the context clearly requires otherwise.

15 (a) "Administering agencies" means the employment security
16 department, department of social and health services, and the health
17 care authority.

18 (b) "Community engagement implementation year" means the first
19 calendar year in which the community engagement requirements under 42
20 U.S.C. Sec. 1396a are implemented in the state of Washington as
21 determined by the health care authority.

22 (c) "Employer" has the same meaning as provided in RCW
23 50A.05.010.

24 (d) "Employed" means a qualified individual who works not less
25 than 80 hours per month for an apple health employer.

26 (e) "Medicaid fair share capitation rate" means the composite
27 capitation rate for the medicaid expansion population in the
28 community engagement implementation year, and each calendar year
29 thereafter, using the most recent managed care organization
30 capitation rates from the health care authority, as certified by the
31 contracted actuary. The medicaid fair share capitation rate includes
32 both the physical health rate component and the behavioral health
33 rate component.

34 (f) "Apple health employer" means an employer subject to the
35 premiums imposed under chapter 50A.10 RCW with one or more employed
36 qualified individuals concurrently enrolled in medicaid in the
37 preceding calendar year, as determined by the administering agencies.
38 An "apple health employer":

39 (i) Does not include:

1 (A) Any employer with fewer than 100 employees employed in the
2 state;

3 (B) The federal government;

4 (C) The state, state institutions, and state agencies; and

5 (D) Any unit of local government including, but not limited to, a
6 county, city, town, municipal corporation, quasi-municipal
7 corporation, or political subdivision.

8 (ii) In the case of a franchise, means the franchisor rather than
9 the franchisee. For the purpose of this subsection, "franchise,"
10 "franchisee," and "franchisor" have the same meanings as defined in
11 chapter 19.100 RCW.

12 (g) "Member month" means each month a qualifying individual works
13 for an apple health employer.

14 (h) "Qualifying individual" means an individual enrolled in
15 medicaid who meets community engagement requirements under 42 U.S.C.
16 1396a, as determined by the health care authority.

17 **Sec. 2.** RCW 43.71.130 and 2021 c 246 s 3 are each amended to
18 read as follows:

19 (1) The state health care affordability account is created in the
20 state treasury. Moneys in the account may be spent only after
21 appropriation. Expenditures from the account may only be used for
22 premium and cost-sharing assistance programs established in RCW
23 43.71.110 and for health care programs for low-income individuals.

24 (2) The following funds must be deposited in the account:

25 (a) Any grants, donations, or contributions of money collected
26 for purposes of the premium assistance or cost-sharing reduction
27 programs established in RCW 48.43.795;

28 (b) Any federal funds received by the health benefit exchange
29 pursuant to RCW 43.71.120; (~~and~~)

30 (c) Any additional funding specifically appropriated to the
31 account; and

32 (d) Any revenue collected from the apple health employer
33 assessment as outlined in section 1 of this act.

34 NEW SECTION. **Sec. 3.** Section 1 of this act constitutes a new
35 chapter in Title 74 RCW.

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