

RCW 48.200.330 Application—Plans governed by the federal employee retirement income security act. (Effective January 1, 2026.)

(1) Nothing in chapter 242, Laws of 2024 expands or restricts the entities subject to this chapter. Therefore, except as provided in subsection (2) of this section, this chapter continues to be inapplicable to a person or entity providing services to, or acting on behalf of, a union or employer administering a self-funded group health plan governed by the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.).

(2) RCW 48.200.280, 48.200.310, and 48.200.320 apply to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the provisions of the federal employee retirement income security act of 1974 (29 U.S.C. Sec. 1001 et seq.) only if the self-funded group health plan elects to participate in RCW 48.200.280, 48.200.310, and 48.200.320. To elect to participate in these provisions, a self-funded group health plan or its administrator shall provide notice, on a periodic basis, to the commissioner in a manner and by a date prescribed by the commissioner, attesting to the plan's participation and agreeing to be bound by RCW 48.200.280, 48.200.310, and 48.200.320. A self-funded group health plan or its administrator that elects to participate under this section, and any pharmacy benefit manager it contracts with, shall comply with RCW 48.200.280, 48.200.310, and 48.200.320.

(3) The commissioner does not have enforcement authority related to a pharmacy benefit manager's conduct pursuant to a contract with a self-funded group health plan governed by the federal employee retirement income security act of 1974, 29 U.S.C. Sec. 1001 et seq., that elects to participate in RCW 48.200.280, 48.200.310, and 48.200.320. [2024 c 242 s 9.]

Effective date—2024 c 242 ss 5 and 7-9: See note following RCW 48.200.280.