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**SENATE BILL 5066**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Short and Rolfes

Prefiled 12/19/22.

1 AN ACT Relating to clarifying that health care benefit managers  
2 must file contracts with health carriers with the office of the  
3 insurance commissioner; amending RCW 48.200.040; and declaring an  
4 emergency.

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

6 **Sec. 1.** RCW 48.200.040 and 2020 c 240 s 4 are each amended to  
7 read as follows:

8 (1) A health care benefit manager may not provide health care  
9 benefit management services to a health carrier or employee benefits  
10 programs without a written agreement describing the rights and  
11 responsibilities of the parties conforming to the provisions of this  
12 chapter and any rules adopted by the commissioner to implement or  
13 enforce this chapter including rules governing contract content.

14 (2) A health care benefit manager must file with the commissioner  
15 in the form and manner prescribed by the commissioner, every benefit  
16 management contract and contract amendment between the health care  
17 benefit manager and a health carrier, provider, pharmacy, pharmacy  
18 services administration organization, or other health care benefit  
19 manager, entered into directly or indirectly in support of a contract  
20 with a carrier or employee benefits programs, within (~~(thirty)~~) 30  
21 days following the effective date of the contract or contract

1 amendment. Contracts and contract amendments between health care  
2 benefit managers and health carriers that were executed prior to the  
3 effective date of this section and remain in force must be filed with  
4 the commissioner no later than 60 days following the effective date  
5 of this section.

6 (3) Contracts filed under this section are confidential and not  
7 subject to public inspection under RCW 48.02.120(2), or public  
8 disclosure under chapter 42.56 RCW, if filed in accordance with the  
9 procedures for submitting confidential filings through the system for  
10 electronic rate and form filings and the general filing instructions  
11 as set forth by the commissioner. In the event the referenced filing  
12 fails to comply with the filing instructions setting forth the  
13 process to withhold the contract from public inspection, and the  
14 health care benefit manager indicates that the contract is to be  
15 withheld from public inspection, the commissioner must reject the  
16 filing and notify the health care benefit manager through the system  
17 for electronic rate and form filings to amend its filing to comply  
18 with the confidentiality filing instructions.

19 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
20 preservation of the public peace, health, or safety, or support of  
21 the state government and its existing public institutions, and takes  
22 effect immediately.

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