



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 05, 2022

TIME: 4:30 PM

WSR 22-08-100

Agency: Department of Enterprise Services

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 22-04-006 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) 200-110 WAC Local Government Self-Insurance health and welfare program

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
May 10, 2022	2 to 4 PM	Virtual public hearing via Zoom	To attend the hearing: <ul style="list-style-type: none"> Via Zoom - Copy and paste the following hyperlink into your internet browser: https://des-wa.zoom.us/j/94412074240?pwd=eHIKMDdLRDM4Ym54WmhvOW1PY09HZz09 When prompted, use passcode 510038 By telephone – Call 877-853-5247. When prompted

Date of intended adoption: May 25, 2022 (Note: This is NOT the effective date)

Submit written comments to:

Name: Jack Zeigler

Address:

Email:

Fax:

Other: Online at <https://des.wa.gov/about/policies-laws-rules/rulemaking> Local government self-insurance health and welfare program rules

By (date) 5 PM May 18, 2022

Assistance for persons with disabilities:

Contact Jack Zeigler

Phone:

Fax:

TTY:

Email: jack.zeigler@des.wa.gov

Other:

By (date) May 2, 2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this update of the rules is to align the existing rules with statutory changes placing health insurance for school employees under the oversight of the newly formed SEBB. Other content changes were made to align with recent changes to other self-insurance rules addressing solvency requirements and independent audit requirements.

Reasons supporting proposal: State law establishes the power of the state risk manager to put in place rules governing the management and operation of both individual and joint local government self-insured health and welfare benefits programs. Current rules are no longer current because of statutory changes and agency practices. Without these changes the rules may promote misunderstanding and inefficiency in state government. Further, lack of clarity increases the risk of noncompliance.

Statutory authority for adoption: [RCW 48.62.061](#) Rule making by state risk manager—Standards

Statute being implemented: [RCW 48.62.061](#) Rule making by state risk manager—Standards

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Enterprise Services Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Shannon Stuber	1500 Jefferson, Olympia, WA	360-407-8153
Implementation:	Shannon Stuber	1500 Jefferson, Olympia, WA	360-407-8153
Enforcement:	Jason Siems	1500 Jefferson, Olympia, WA	360-742-6348

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

No: Please explain: A cost-benefit analysis is not required under RCW 34.05.328. The department of enterprise services (DES) is not an agency listed in RCW 34.05.328 (5)(a)(i). Further, DES does not voluntarily make section 201 applicable to this rule adoption nor to date, has the joint administrative rules review committee made section 201 applicable to this rule adoption.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Date: April 5, 2022

Name: Jack Zeigler

Title: Rules and Policy Manager

Signature:

