

As required by

The Washington State Administrative Procedure Act

Chapter 34.05 RCW

A CONCISE EXPLANATORY STATEMENT

Relating to adoption of changes to

Chapter 200-110 WAC

**Local government self-insurance health and welfare program
requirements**

August 8, 2017

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Reason for Rule Adoption

Background

State law under RCW 48.62.061 requires the state risk manager to put rules in place governing self-insurance programs.

The purpose of this rulemaking is to update 200-110 WAC Local government self-Insurance health and welfare program rule. This update is needed to resolve incorrect references and information, align with recent amendments to other self-insurance rules, and align with the transfer of State Risk Management from OFM to DES.

The following areas were addressed by this rulemaking:

- Fees set by the Health and Welfare Advisory Board (eliminated in 2010);
- Payments made to OFM;
- Antiquated language in relation to federal and other healthcare regulations;
- Clarifying the roles and responsibilities of the State Risk Manager;
- Establishing clear timeframes and requirements for compliance reporting;
- Updating standards for solvency to ensure local governments are able to pay healthcare claims for employees.

Consideration and Response Summary

On June 20, 2017, DES filed proposed rules under WSR 17-13-115. Consistent with the requirements of RCW 34.05, public comments were sought from June 20, 2017 through July 25, 2017. Written comments were permitted by letter, the agency rule-making web site, and email. One oral comment was received at the public hearing. No written comments were received during the public comment period.

DES's effort in seeking participation in the rulemaking process from a diverse group of stakeholders is reflected in the adopted rules. We would like to thank our many stakeholders who contributed to this process and without whose help this undertaking would have been challenging.

General Comments

DES received one comment:

- That did not cite a specific section or provision of the proposed rules;
- Provided input yet do not make it clear whether the proposed rules are supported or opposed.

Stakeholder	General Comment Summary	Response
Jim Lux	Sought clarification regarding various aspects of reserve requirements.	The department appreciates the time taken to provide these comments and recognizes the concerns and opinions presented. No changes were made based on these comments.

Comments which support or appear to support

DES received no comments:

- That clearly support the proposed rule;
- That reasonably appear to support the proposed rule.

Comments which oppose or appear to oppose

DES received no comments:

- That clearly oppose the proposed rule;
- That reasonably appear to oppose the proposed rule.