
HOUSE BILL 1790

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Dammeier, Sullivan, Hinkle, Green, and Ormsby

Read first time 02/02/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to school district contracts with direct practice
2 health providers; and amending RCW 28A.400.270 and 28A.400.350.

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

4 **Sec. 1.** RCW 28A.400.270 and 1990 1st ex.s. c 11 s 4 are each
5 amended to read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout RCW 28A.400.275 and 28A.400.280.

8 (1) "School district employee benefit plan" means the overall plan
9 used by the district for distributing fringe benefit subsidies to
10 employees, including the method of determining employee coverage and
11 the amount of employer contributions, as well as the characteristics of
12 benefit providers and the specific benefits or coverage offered. It
13 shall not include coverage offered to district employees for which
14 there is no contribution from public funds.

15 (2) "Fringe benefit" does not include liability coverage, old-age
16 survivors' insurance, workers' compensation, unemployment compensation,
17 retirement benefits under the Washington state retirement system, or
18 payment for unused leave for illness or injury under RCW 28A.400.210.

1 (3) "Basic benefits" are determined through local bargaining and
2 are limited to medical, dental, vision, group term life, and group
3 long-term disability insurance coverage, and direct practice agreements
4 as defined in chapter 48.150 RCW.

5 (4) "Benefit providers" include insurers, third party claims
6 administrators, direct providers of employee fringe benefits, health
7 maintenance organizations, health care service contractors, and the
8 Washington state health care authority or any plan offered by the
9 authority.

10 (5) "Group term life insurance coverage" means term life insurance
11 coverage provided for, at a minimum, all full-time employees in a
12 bargaining unit or all full-time nonbargaining group employees.

13 (6) "Group long-term disability insurance coverage" means long-term
14 disability insurance coverage provided for, at a minimum, all full-time
15 employees in a bargaining unit or all full-time nonbargaining group
16 employees.

17 **Sec. 2.** RCW 28A.400.350 and 2001 c 266 s 2 are each amended to
18 read as follows:

19 (1) The board of directors of any of the state's school districts
20 or educational service districts may make available liability, life,
21 health, health care, accident, disability, and salary protection or
22 insurance, direct practice agreements as defined in chapter 48.150 RCW,
23 or any one of, or a combination of the ((enumerated)) types of
24 ((insurance)) employee benefits enumerated in this subsection, or any
25 other type of insurance or protection, for the members of the boards of
26 directors, the students, and employees of the school district or
27 educational service district, and their dependents. Such coverage may
28 be provided by contracts with private carriers, with the state health
29 care authority after July 1, 1990, pursuant to the approval of the
30 authority administrator, or through self-insurance or self-funding
31 pursuant to chapter 48.62 RCW, or in any other manner authorized by
32 law.

33 (2) Whenever funds are available for these purposes the board of
34 directors of the school district or educational service district may
35 contribute all or a part of the cost of such protection or insurance
36 for the employees of their respective school districts or educational

1 service districts and their dependents. The premiums on such liability
2 insurance shall be borne by the school district or educational service
3 district.

4 After October 1, 1990, school districts may not contribute to any
5 employee protection or insurance other than liability insurance unless
6 the district's employee benefit plan conforms to RCW 28A.400.275 and
7 28A.400.280.

8 (3) For school board members, educational service district board
9 members, and students, the premiums due on such protection or insurance
10 shall be borne by the assenting school board member, educational
11 service district board member, or student. The school district or
12 educational service district may contribute all or part of the costs,
13 including the premiums, of life, health, health care, accident or
14 disability insurance which shall be offered to all students
15 participating in interschool activities on the behalf of or as
16 representative of their school, school district, or educational service
17 district. The school district board of directors and the educational
18 service district board may require any student participating in
19 extracurricular interschool activities to, as a condition of
20 participation, document evidence of insurance or purchase insurance
21 that will provide adequate coverage, as determined by the school
22 district board of directors or the educational service district board,
23 for medical expenses incurred as a result of injury sustained while
24 participating in the extracurricular activity. In establishing such a
25 requirement, the district shall adopt regulations for waiving or
26 reducing the premiums of such coverage as may be offered through the
27 school district or educational service district to students
28 participating in extracurricular activities, for those students whose
29 families, by reason of their low income, would have difficulty paying
30 the entire amount of such insurance premiums. The district board shall
31 adopt regulations for waiving or reducing the insurance coverage
32 requirements for low-income students in order to assure such students
33 are not prohibited from participating in extracurricular interschool
34 activities.

35 (4) All contracts for insurance or protection written to take
36 advantage of the provisions of this section shall provide that the
37 beneficiaries of such contracts may utilize on an equal participation

1 basis the services of those practitioners licensed pursuant to chapters
2 18.22, 18.25, 18.53, 18.57, and 18.71 RCW.

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