S-1346.1   _____

SUBSTITUTE SENATE BILL 5223
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State of Washington   **60th Legislature**   **2007 Regular Session**

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Parlette, Franklin, Kastama, Kohl-Welles, Pflug, Regala, Rasmussen and Kline)

READ FIRST TIME 01/30/07.

1   AN ACT Relating to providing insurance coverage to dependent
2   children; amending RCW 48.20.420, 48.21.150, 48.44.200, 48.44.210, and
3   48.46.320; adding a new section to chapter 48.20 RCW; adding a new
4   section to chapter 48.21 RCW; adding a new section to chapter 48.44
5   RCW; and adding a new section to chapter 48.46 RCW.

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

7   **Sec. 1.** RCW 48.20.420 and 1985 c 264 s 10 are each amended to read
8   as follows:
9   Any disability insurance contract providing health care services,
10 delivered or issued for delivery in this state more than one hundred
11 twenty days after August 11, 1969, ((which)) that provides that
12 coverage of a dependent child shall terminate upon attainment of the
13 limiting age for dependent children ((specified in the contract)),
14 shall also provide in substance that attainment of such limiting age
15 shall not operate to terminate the coverage of such child while the
16 child is and continues to be both (1) incapable of self-sustaining
17 employment by reason of developmental disability or physical handicap
18 and (2) chiefly dependent upon the subscriber for support and
19 maintenance, provided proof of such incapacity and dependency is

furnished to the insurer by the subscriber within thirty-one days of
the child's attainment of the limiting age and subsequently as may be
required by the insurer but not more frequently than annually after the
two year period following the child's attainment of the limiting age.

NEW SECTION. **Sec. 2.** A new section is added to chapter 48.20 RCW
to read as follows:
Any disability insurance contract that provides coverage for a
dependent child must allow the subscriber to extend enrollment up to
the age of twenty-five for any otherwise eligible unmarried dependent
child who is chiefly dependent on the subscriber for support and
maintenance.

Sec. 3. RCW 48.21.150 and 1977 ex.s. c 80 s 32 are each amended to
read as follows:
Any group disability insurance contract or blanket disability
insurance contract, providing health care services, delivered or issued
for delivery in this state more than one hundred twenty days after
August 11, 1969, ((which)) that provides that coverage of a dependent
child of an employee or other member of the covered group shall
terminate upon attainment of the limiting age for dependent children
((specified in the contract)) shall also provide in substance that
attainment of such limiting age shall not operate to terminate the
coverage of such child while the child is and continues to be both (1)
incapable of self-sustaining employment by reason of developmental
disability or physical handicap and (2) chiefly dependent upon the
employee or member for support and maintenance, provided proof of such
incapacity and dependency is furnished to the insurer by the employee
or member within thirty-one days of the child's attainment of the
limiting age and subsequently as may be required by the insurer, but
not more frequently than annually after the two year period following
the child's attainment of the limiting age.

NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW
to read as follows:
Any group disability insurance contract or blanket disability
insurance contract that provides coverage for a dependent child must

1 allow the subscriber to extend enrollment up to the age of twenty-five
2 for any otherwise eligible unmarried dependent child who is chiefly
3 dependent on the subscriber for support and maintenance.

4   **Sec. 5.** RCW 48.44.200 and 1977 ex.s. c 80 s 33 are each amended to
5 read as follows:
6   An individual health care service plan contract, delivered or
7 issued for delivery in this state more than one hundred twenty days
8 after August 11, 1969, ((which)) that provides that coverage of a
9 dependent child shall terminate upon attainment of the limiting age for
10 dependent children ((specified in the contract)) shall also provide in
11 substance that attainment of such limiting age shall not operate to
12 terminate the coverage of such child while the child is and continues
13 to be both (1) incapable of self-sustaining employment by reason of
14 developmental disability or physical handicap and (2) chiefly dependent
15 upon the subscriber for support and maintenance, provided proof of such
16 incapacity and dependency is furnished to the health care service plan
17 corporation by the subscriber within thirty-one days of the child's
18 attainment of the limiting age and subsequently as may be required by
19 the corporation but not more frequently than annually after the two
20 year period following the child's attainment of the limiting age.

21   **Sec. 6.** RCW 48.44.210 and 1977 ex.s. c 80 s 34 are each amended to
22 read as follows:
23   A group health care service plan contract, delivered or issued for
24 delivery in this state more than one hundred twenty days after August
25 11, 1969, ((which)) that provides that coverage of a dependent child of
26 an employee or other member of the covered group shall terminate upon
27 attainment of the limiting age for dependent children ((specified in
28 the contract)) shall also provide in substance that attainment of such
29 limiting age shall not operate to terminate the coverage of such child
30 while the child is and continues to be both (1) incapable of self-
31 sustaining employment by reason of developmental disability or physical
32 handicap and (2) chiefly dependent upon the employee or member for
33 support and maintenance, provided proof of such incapacity and
34 dependency is furnished to the health care service plan corporation by
35 the employee or member within thirty-one days of the child's attainment

1 of the limiting age and subsequently as may be required by the
2 corporation, but not more frequently than annually after the two year
3 period following the child's attainment of the limiting age.

4   NEW SECTION. **Sec. 7.** A new section is added to chapter 48.44 RCW
5 to read as follows:
6   Any individual health care service plan contract or group health
7 care service plan contract that provides coverage for a dependent child
8 must cover any unmarried child of the subscriber or the subscriber's
9 spouse if the child is under the limiting age of twenty-five.

10   **Sec. 8.** RCW 48.46.320 and 1985 c 320 s 6 are each amended to read
11 as follows:
12   Any health maintenance agreement ((which)) that provides that
13 coverage of a dependent child shall terminate upon attainment of the
14 limiting age for dependent children ((specified in the agreement))
15 shall also provide in substance that attainment of such limiting age
16 shall not operate to terminate the coverage of such child while the
17 child is and continues to be both: (1) Incapable of self-sustaining
18 employment by reason of developmental disability or physical handicap;
19 and (2) chiefly dependent upon the subscriber for support and
20 maintenance, if proof of such incapacity and dependency is furnished to
21 the health maintenance organization by the enrolled participant within
22 thirty-one days of the child's attainment of the limiting age and
23 subsequently as required by the health maintenance organization but not
24 more frequently than annually after the two-year period following the
25 child's attainment of the limiting age.

26   NEW SECTION. **Sec. 9.** A new section is added to chapter 48.46 RCW
27 to read as follows:
28   Any health maintenance agreement that provides coverage for a
29 dependent child must allow the subscriber to extend enrollment up to
30 the age of twenty-five for any otherwise eligible unmarried dependent
31 child who is chiefly dependent on the subscriber for support and
32 maintenance.

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