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SENATE BILL 5223

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State of Washington

60th Legislature

2007 Regular Session

By Senators Keiser, Parlette, Franklin, Kastama, Kohl-Welles, Pflug, Regala, Rasmussen and Kline

Read first time 01/12/2007. Referred to Committee on Health & Long-Term Care.

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

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

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.20 RCW  
6 to read as follows:

7 Any disability insurance contract that provides coverage for a  
8 dependent child must cover any unmarried child of the subscriber or the  
9 subscriber's spouse if the child is under the limiting age of twenty-  
10 five.

11 **Sec. 3.** RCW 48.21.150 and 1977 ex.s. c 80 s 32 are each amended to  
12 read as follows:

13 Any group disability insurance contract or blanket disability  
14 insurance contract, providing health care services, delivered or issued  
15 for delivery in this state more than one hundred twenty days after  
16 August 11, 1969, (~~which~~) that provides that coverage of a dependent  
17 child of an employee or other member of the covered group shall  
18 terminate upon attainment of the limiting age for dependent children  
19 (~~specified in the contract~~) shall also provide in substance that  
20 attainment of such limiting age shall not operate to terminate the  
21 coverage of such child while the child is and continues to be both (1)  
22 incapable of self-sustaining employment by reason of developmental  
23 disability or physical handicap and (2) chiefly dependent upon the  
24 employee or member for support and maintenance, provided proof of such  
25 incapacity and dependency is furnished to the insurer by the employee  
26 or member within thirty-one days of the child's attainment of the  
27 limiting age and subsequently as may be required by the insurer, but  
28 not more frequently than annually after the two year period following  
29 the child's attainment of the limiting age.

30 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW  
31 to read as follows:

32 Any group disability insurance contract or blanket disability  
33 insurance contract that provides coverage for a dependent child must  
34 cover any unmarried child of the subscriber or the subscriber's spouse  
35 if the child is under the limiting age of twenty-five.

1       **Sec. 5.** RCW 48.44.200 and 1977 ex.s. c 80 s 33 are each amended to  
2 read as follows:

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

18       **Sec. 6.** RCW 48.44.210 and 1977 ex.s. c 80 s 34 are each amended to  
19 read as follows:

20       A group health care service plan contract, delivered or issued for  
21 delivery in this state more than one hundred twenty days after August  
22 11, 1969, (~~which~~) that provides that coverage of a dependent child of  
23 an employee or other member of the covered group shall terminate upon  
24 attainment of the limiting age for dependent children (~~specified in  
25 the contract~~) shall also provide in substance that attainment of such  
26 limiting age shall not operate to terminate the coverage of such child  
27 while the child is and continues to be both (1) incapable of self-  
28 sustaining employment by reason of developmental disability or physical  
29 handicap and (2) chiefly dependent upon the employee or member for  
30 support and maintenance, provided proof of such incapacity and  
31 dependency is furnished to the health care service plan corporation by  
32 the employee or member within thirty-one days of the child's attainment  
33 of the limiting age and subsequently as may be required by the  
34 corporation, but not more frequently than annually after the two year  
35 period following the child's attainment of the limiting age.

1        NEW SECTION.    **Sec. 7.**    A new section is added to chapter 48.44 RCW  
2 to read as follows:

3        Any individual health care service plan contract or group health  
4 care service plan contract that provides coverage for a dependent child  
5 must cover any unmarried child of the subscriber or the subscriber's  
6 spouse if the child is under the limiting age of twenty-five.

7        **Sec. 8.**    RCW 48.46.320 and 1985 c 320 s 6 are each amended to read  
8 as follows:

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

23        NEW SECTION.    **Sec. 9.**    A new section is added to chapter 48.46 RCW  
24 to read as follows:

25        Any health maintenance agreement that provides coverage for a  
26 dependent child must cover any unmarried child of the subscriber or the  
27 subscriber's spouse if the child is under the limiting age of twenty-  
28 five.

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