



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: June 29, 2025

TIME: 11:53 AM

WSR 25-14-069

Agency: Office of the Insurance Commissioner

Insurance Commissioner Matter R 2025-06

Subject of possible rule making: Implementation of ESSB 5291 (Chapter 380, Laws of 2025), supplemental long-term care insurance

Statutes authorizing the agency to adopt rules on this subject: RCW 48.02.060(3)(a); RCW 48.85.030(1); Chapter 380, Laws of 2025: Sections 31, 32, 34, 37, and 48.

Reasons why rules on this subject may be needed and what they might accomplish: Engrossed Second Substitute Bill 5291 (Chapter 380, Laws of 2025) was signed into law on May 20, 2025. The bill creates a new chapter under Title 48 RCW concerning supplemental long-term care insurance. Supplemental long-term care insurance is a new product designed to provide coverage once WA Cares benefits under Chapter 50B.04 RCW have been exhausted. Because it is a new insurance product, there are currently no rules that address supplemental long-term care insurance. Rulemaking is needed to ensure affected parties understand their rights and obligations under the new law.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Office of the Insurance Commissioner (OIC) is the sole regulator of supplemental long-term care insurance. The Washington Long-Term Care Partnership Program, which was modified by ESSB 5291 to include supplemental long-term care insurance, is jointly administered by the OIC, the Department of Social and Health Services (DSHS), the Employment Security Department (ESD), and the Washington Health Care Authority (HCA). The WA Cares program is primarily administered by DSHS. Both DSHS and the HCA will be invited to participate in this rulemaking.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Submit comments by: July 30, 2025


Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Rules Coordinator
Address: 302 Sid Snyder Ave., SW, Olympia WA 98504
Phone: 360-725-7171
Fax: 360-586-3109
TTY: 360-586-0241
Email: rulescoordinator@oic.wa.gov
Web site: www.insurance.wa.gov
Other:

(If necessary)

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

Additional comments:

Signature: 	Date: June 29, 2025
	Name: Patty Kuderer
	Title: Insurance Commissioner