

commission for the purposes described in section 3 of this act, shall be sufficient for such purposes; and also that, based upon the treasurer's estimates of future income from assessments levied pursuant to section 11 of this act and other sources, an adequate balance will be maintained in the commission's general fund to enable the commission to pay the costs of bond issuance and retirement or loan repayment, including interests and costs.

NEW SECTION. Sec. 23. CAPTIONS NOT LAW. Section headings as used in this chapter do not constitute any part of the law.

NEW SECTION. Sec. 24. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 25. EFFECTIVE DATES. This act shall take effect July 1, 1990, except for section 3 (10), (12), (13), and (15) of this act which shall take effect July 1, 1991; except as otherwise provided in section 3(5), (10), and (15), and section 11 of this act.

NEW SECTION. Sec. 26. Sections 1 through 25 of this act shall constitute a new chapter in Title 88 RCW.

Passed the Senate March 5, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 21, 1990.

Filed in Office of Secretary of State March 21, 1990.

## CHAPTER 118

[House Bill No. 2525]

### RADIO COMMUNICATIONS SERVICES REGULATION—EXCEPTIONS

AN ACT Relating to regulation of radio communications services; and amending RCW 80.36.370.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 9, chapter 450, Laws of 1985 and RCW 80.36.370 are each amended to read as follows:

The commission shall not regulate the following:

(1) One way broadcast or cable television transmission of television or radio signals;

(2) Private telecommunications systems;

(3) Telegraph services;

(4) Any sale, lease, or use of customer premises equipment except such equipment as is regulated on July 28, 1985;

(5) Private shared telecommunications services, unless the commission finds, upon notice and investigation, that customers of such services have no alternative access to local exchange telecommunications companies. If the

commission makes such a finding, it may require the private shared telecommunications services provider to make alternative facilities or conduit space available on reasonable terms and conditions at reasonable prices((-));

(6) Radio communications services provided by a regulated telecommunications company, except that when those services are the only voice grade, local exchange telecommunications service available to a customer of the company the commission may regulate the radio communication service of that company.

Passed the House March 5, 1990.

Passed the Senate March 2, 1990.

Approved by the Governor March 21, 1990.

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## CHAPTER 119

[Substitute House Bill No. 3001]

### HEALTH MAINTENANCE ORGANIZATIONS—SOLVENCY PROTECTION

AN ACT Relating to solvency protection for health maintenance organizations; amending RCW 48.46.020, 48.46.030, 48.46.040, 48.46.240, 48.46.420, and 48.80.030; adding new sections to chapter 48.46 RCW; repealing RCW 48.46.230; and prescribing penalties.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 3, chapter 290, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 106, Laws of 1983 and RCW 48.46.020 are each amended to read as follows:

As used in this chapter, the terms defined in this section shall have the meanings indicated unless the context indicates otherwise.

(1) "Health maintenance organization" means any organization receiving a certificate of ((authority)) registration by the commissioner under this chapter which provides comprehensive health care services to enrolled participants of such organization on a group practice per capita prepayment basis or on a prepaid individual practice plan, except for an enrolled participant's responsibility for copayments and/or deductibles, either directly or through contractual or other arrangements with other institutions, entities, or persons, and which qualifies as a health maintenance organization pursuant to RCW 48.46.030 and 48.46.040.

(2) "Comprehensive health care services" means basic consultative, diagnostic, and therapeutic services rendered by licensed health professionals together with emergency and preventive care, inpatient hospital, outpatient and physician care, at a minimum, and any additional health care services offered by the health maintenance organization.

(3) "Enrolled participant" means a person who or group of persons which has entered into a contractual arrangement or on whose behalf a contractual arrangement has been entered into with a health maintenance organization to receive health care services.