

**Chapter 192-905 WAC  
EXEMPTIONS**

NEW SECTION

**WAC 192-905-005 Eligibility requirements for an employee to receive an exemption from the long-term services and supports trust program.** (1) An employee who has long-term care insurance as outlined in RCW 50B.04.085 and attests to this, may apply for an exemption from the premium assessment under RCW 50B.04.080. "Long-term care insurance" has the meaning provided in RCW 48.83.020.

(2) Only an employee who is eighteen years of age or older on the date of application may apply for an exemption.

(3) The employee must provide identification that verifies their age at the time of application.

(4) The department may verify an employee's long-term care insurance coverage and may request additional information from the employee.

NEW SECTION

**WAC 192-905-010 How and when can an employee apply for an exemption from the long-term services and supports trust program?** (1) Applications for exemption from the long-term services and supports trust program will be accepted by the department only from October 1, 2021, through December 31, 2022, per RCW 50B.04.085.

(2) If approved by the department, an employee's exemption will be effective the quarter immediately following approval.

(3) Applications for exemption will be available on the department's website or in another format approved by the department.

NEW SECTION

**WAC 192-905-015 What happens after an employee's exemption application is processed?** (1) After an employee's exemption application is processed, the department will send the employee either:

(a) An approval letter stating the employee is exempt from the program; or

(b) A denial letter stating the reason for the denial.

(2) A determination made by the department may be appealed in accordance with RCW 50B.04.120(2).

(3) An employee who is approved for an exemption must notify any current or future employer of their exempt status by providing a copy of their approval letter to the employer.

(4) The employer must maintain a copy of the approval letter provided by the employee.

NEW SECTION

**WAC 192-905-020 Is an exempt employee entitled to a refund of premiums?** (1) If an exempt employee fails to notify an employer of their exemption, the exempt employee is not entitled to a refund of any premium deductions made before notification was provided.

(2) Any premium deductions made before notification was provided to the employer remain with the employer.

(3) If an employer deducts premiums after the employee provides notification of the employee's exempt status, the employer must refund the deducted premiums to the employee.