

September 1, 2023

Re: **Inability to Grant Additional Insured Status**

To Whom It May Concern,

Public entities in the State of Washington are authorized by RCW 48.62 to individually or jointly self-insure, purchase insurance coverage, and obtain risk management, claims and administrative services. Washington Schools Risk Management Pool (WSRMP) is a self-funded, public entity inter-local cooperative among school and educational service districts formed under that statute.

Under RCW 48.62.061, the state risk manager (not insurance commissioner) shall adopt rules governing the management and operation of both individual and joint local government self-insurance programs covering property or liability risks. The rules are contained in the Washington Administrative Code (WAC) 200-100 and summarized as follows:

1. Only **members** may participate in the self-insured retention layer, and only **members** may participate in the joint purchase of insurance or reinsurance (WAC 200-100-02005).
2. Nonmembers shall not participate in any coverages of the joint self-insurance program including the self-insured retention layer and the excess insurance or reinsurance layer (WAC 200-100-02007).
3. **"Member"** is defined by WAC 200-100-020.
(17) **"Member"** means a local government entity that:
 - (a) Is a signatory to a joint insurance program's interlocal agreement;
 - (b) Agrees to future assessments or reassessments as part of the program's joint self-insurance program; and
 - (c) Is a past or present participant in the excess or self-insured retention portion of the pool's insurance program subject to regulation under chapter 48.62 RCW.

The state risk manager and the Washington Administrative Code prohibits WSRMP from granting additional insured status to nonmembers.

Other public entities such as cities, counties, towns, municipal courts, and state colleges and universities are also bound by state statutes and are prohibited from granting additional insured status.

Best Regards,



Deborah Callahan, SCLA
Executive Director