

**RCW 48.180.015 Agreement to form joint self-insurance program—
Authorized activities—State risk manager as attorney for receipt of
service.** (1) The governing body of a nonprofit corporation may join
or form a self-insurance program together with one or more other
nonprofit corporations, and may jointly purchase insurance or
reinsurance with one or more other nonprofit corporations for property
and liability risks only as permitted under this chapter. Nonprofit
corporations may contract for or hire personnel to provide risk
management, claims, and administrative services in accordance with
this chapter.

(2) The agreement to form a joint self-insurance program may
include the organization of a separate legal or administrative entity
with powers delegated to the entity. The entity may include or create
a nonprofit corporation as defined in RCW 48.62.021.

(3) If provided for in the organizational documents, a joint
self-insurance program may, in conformance with this chapter:

(a) Contract or otherwise provide for risk management and loss
control services;

(b) Contract or otherwise provide legal counsel for the defense
of claims and other legal services;

(c) Consult with the state insurance commissioner and the state
risk manager;

(d) Jointly purchase insurance and reinsurance coverage in a form
and amount as provided for in the organizational documents;

(e) Obligate the program's participants to pledge funds or
revenues to secure the obligations or pay the expenses of the program,
including the establishment of a reserve fund for coverage, including
an additional assessment if the reserve fund or the program's revenue
or assets are insufficient to cover the program's liabilities; and

(f) Possess any other powers and perform all other functions
reasonably necessary to carry out the purposes of this chapter.

(4) Every joint self-insurance program governed by this chapter
must appoint the state risk manager as its attorney to receive service
of, and upon whom must be served, all legal process issued against the
program in this state upon causes of action arising in this state.

(a) Service upon the state risk manager as attorney constitutes
service upon the program. Service upon joint self-insurance programs
subject to this chapter may only occur by service upon the state risk
manager. At the time of service, the plaintiff shall pay to the state
risk manager a fee to be set by the state risk manager, taxable as
costs in the action.

(b) With the initial filing for approval with the state risk
manager, each joint self-insurance program must designate by name and
address the person to whom the state risk manager must forward legal
process that is served upon him or her. The joint self-insurance
program may change this person by filing a new designation.

(c) The appointment of the state risk manager as attorney is
irrevocable, binds any successor in interest or to the assets or
liabilities of the joint self-insurance program, and remains in effect
as long as there is in force in this state any contract made by the
joint self-insurance program or liabilities or duties arising from the
contract.

(d) The state risk manager shall keep a record of the day and
hour of service upon him or her of all legal process. A copy of the
process, by registered mail with return receipt requested, must be
sent by the state risk manager to the person designated to receive

legal process by the joint self-insurance program in its most recent designation filed with the state risk manager. Proceedings may not commence against the joint self-insurance program, and the program is not required to appear, plead, or answer, until the expiration of forty days after the date of service upon the state risk manager.

(e) For any legal process issued against the program for causes of action arising outside of this state, the program shall provide the state risk manager a copy of such claim.

(5) A nonprofit joint self-insurance program previously established under chapter 48.62 RCW may continue its operations without interruption. All previously approved operating documents under chapter 48.62 RCW including, but not limited to, applications, state-granted authorities, approvals to operate, certificates of incorporation, articles of incorporation, membership documents, executed contracts, and other applicable items or authorities remain in effect without reapproval.

(6) A nonprofit joint self-insurance program previously established under and governed by chapter 48.62 RCW is not required to reapply for authority to operate as previously approved by the state risk manager in its original application. [2015 c 109 § 7.]