

**RCW 48.43.785 COVID-19 personal protective equipment expenses—Health care provider reimbursement. (Contingent expiration date.)** (1) For the duration of the federal public health emergency related to COVID-19, a health benefit plan shall reimburse a health care provider who bills for incurred personal protective equipment expenses as a separate expense, using the American medical association's current procedural terminology code 99072 or as subsequently amended, \$6.57 for each individual patient encounter.

(2) For purposes of this section, cost sharing is limited to the covered service according to the terms and conditions of the health benefit plan and does not apply to an expense for personal protective equipment.

(3) This section is not intended to apply to health care services that are not provided in person. [2021 c 94 § 2.]

**Contingent expiration date—2021 c 94 § 2:** "Section 2 of this act expires upon the termination of the federal public health emergency related to COVID-19 as proclaimed by the United States department of health and human services." [2021 c 94 § 5.]

**Findings—2021 c 94:** "(1) The legislature finds that:

(a) The delivery of health care services is essential and maintaining patient safety during the ongoing public health emergency is paramount;

(b) Pursuant to state and federal regulations, and in the interest of minimizing the risk of viral transmission, health care providers have incurred substantially increased costs during the public health emergency associated with the procurement of personal protective equipment;

(c) Costs associated with providing care are typically factored into contracts between a health carrier and a health care provider, but the dramatically increased personal protective equipment costs related to the pandemic, in terms of procurement and increased "per unit" costs, were neither foreseeable nor contemplated in existing contracts; and

(d) Health care providers do not want to bill patients directly for costs associated with personal protective equipment, and in many cases are precluded from doing so pursuant to terms of contract between health care providers and health carriers, so many health care providers currently do not have a mechanism to recoup costs of personal protective equipment.

(2) Therefore, the legislature finds that to help ensure patient safety and continued access to personal protective equipment, it is necessary that health carriers reimburse health care providers for costs associated with personal protective equipment." [2021 c 94 § 1.]

**Application—2021 c 94:** "This act applies prospectively for the duration of the state of emergency related to COVID-19." [2021 c 94 § 3.]

**Effective date—2021 c 94:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 16, 2021]." [2021 c 94 § 4.]