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**SENATE BILL 6291**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** Senators Van De Wege, Rolfes, Walsh, Hasegawa, Hunt, Keiser, Randall, Stanford, and Wilson, C.

AN ACT Relating to requiring coverage for hearing instruments for children and adolescents; amending RCW 48.43.0128; and adding a new section to chapter 48.43 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 48.43 RCW to read as follows:

(1) A health carrier offering a health plan issued or renewed on or after January 1, 2021, must include coverage for hearing instruments, including bone conduction hearing devices, for persons who are eighteen years of age or younger.

(2) Coverage must include the hearing instrument, the initial assessment, fitting, adjustment, auditory training, and ear molds as necessary to maintain optimal fit.

(3) The maximum benefit amount required by this section is two thousand five hundred dollars per hearing impaired ear every thirty-six months. This benefit is not subject to the covered individual's deductible.

(4) A covered individual may choose a higher priced hearing instrument and pay the difference between the price of the hearing instrument and the benefit required under this section, without financial or contractual penalty to the covered individual or to the provider of the hearing instrument.

(5) The hearing instrument must be recommended by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology and dispensed by a licensed audiologist, hearing aid specialist, or a licensed physician or osteopathic physician who specializes in otolaryngology.

(6) For the purposes of this section, "hearing instrument" and "hearing aid specialist" have the same meaning as defined in RCW 18.35.010.

**Sec.**  RCW 48.43.0128 and 2019 c 33 s 15 are each amended to read as follows:

(1) A health carrier offering a nongrandfathered health plan in the individual or small group market may not:

(a) In its benefit design or implementation of its benefit design, discriminate against individuals because of their age, expected length of life, present or predicted disability, degree of medical dependency, quality of life, or other health conditions; and

(b) With respect to the health plan, discriminate on the basis of race, color, national origin, disability, age, sex, gender identity, or sexual orientation.

(2) Nothing in this section may be construed to prevent an issuer from appropriately utilizing reasonable medical management techniques.

(3) Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

(4) This section does not apply when a health carrier is complying with the mandate in section 1 of this act to provide benefits for hearing instruments for children.

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