

# SENATE BILL REPORT

## SB 5704

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As Reported by Senate Committee On:  
Health & Long Term Care, January 31, 2022

**Title:** An act relating to requiring health carriers to reimburse advanced registered nurse practitioners at the same rate as physicians for the same services.

**Brief Description:** Requiring health carriers to reimburse advanced registered nurse practitioners at the same rate as physicians for the same services.

**Sponsors:** Senators Randall, Cleveland, Conway, Das, Frockt, Hasegawa, Holy, Hunt, Keiser, Lovelett, Lovick, Nobles, Robinson, Saldaña, Stanford and Wilson, C..

**Brief History:**

**Committee Activity:** Health & Long Term Care: 1/17/22, 1/31/22 [DPS-WM, DNP, w/oRec].

**Brief Summary of First Substitute Bill**

- Requires health carriers to reimburse advanced registered nurse practitioners at the same rate as physicians for providing the same service in the same service area.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** That Substitute Senate Bill No. 5704 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Conway, Holy, Keiser, Randall, Robinson and Van De Wege.

**Minority Report:** Do not pass.

Signed by Senators Muzzall, Ranking Member; Padden and Rivers.

**Minority Report:** That it be referred without recommendation.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Signed by Senator Sefzik.

**Staff:** Greg Attanasio (786-7410)

**Background:** "Advanced registered nursing practice" is defined as the performance of the acts of a registered nurse and the performance of an expanded role in providing health care services as recognized by the medical and nursing professions. Advanced registered nurse practitioners (ARNPs) assume primary responsibility and accountability for the care of patients and are authorized to perform all activities registered nurses perform, perform specialized and advanced levels of nursing, and prescribe legend drugs and certain controlled substances. ARNPs scope of practice is defined by the Nursing Care Quality Assurance Commission and includes:

- examining and diagnosing patients;
- admitting, managing, and discharging patients to and from health care facilities;
- ordering, collecting, performing, and interpreting diagnostic tests;
- managing health care by identifying, developing, implementing, and evaluating a plan of care and treatment for patients;
- prescribing therapies and medical equipment;
- prescribing medications when granted prescriptive authority; and
- referring patients to other health care practitioners, services, or facilities.

**Summary of Bill (First Substitute):** For health plans issued or renewed on or after January 1, 2023, a health carrier may not reimburse a contracted ARNP in an amount less than the allowed amount that the health carrier would reimburse for the same service if provided by a contracted physician or osteopathic physician in the same service area.

A health carrier may not reduce the reimbursement amount paid to physicians and osteopathic physicians to comply with this act.

This act does not apply to ARNPs who are employees of a health maintenance organization.

by January 1, 2024, the Office of the Insurance Commissioner must report to the Legislature on the number of insurers who have changed their reimbursement policy because of this act, the number of ARNPs whose reimbursement increased, the number of physicians whose reimbursement decreased, and the cost to insurers to implement this act.

**EFFECT OF CHANGES MADE BY HEALTH & LONG TERM CARE COMMITTEE (First Substitute):**

- Requires the Office of the Insurance Commissioner to report on the implementation of this act by January 1, 2024.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: This bill would help address the primary care shortage and keep ARNP practices in business. Reimbursement cuts have made it more difficult for ARNP practices stay solvent. It covers the cost of delivering care to patients. The bill would not be a pay increase, it only covers expenses for the practice. Washington needs more access to mental health services and this will increase access.

CON: Physicians and ARNPs are different profession with different training and education and payment should reflect that. The bill will not accomplish the goal of increasing access. Medicare does not pay physicians and ARNPs at parity.

**Persons Testifying:** PRO: Senator Emily Randall, Prime Sponsor; Louise Kaplan, ARNP, ARNPs United of Washington State; Maddy Wiley, ARNP, FamilyCare of Kent; Jennifer Tyler, Tumwater Family Practice Clinic; Linda Van Hoff, ARNP, ARNPs United of Washington State; Dana Dean Doering.

CON: Katie Kolan, WA State Medical Association (WSMA); Katina Rue, DO, WA State Medical Association (WSMA); Reilly Bealer, WA State Medical Association (WSMA); Ashlin Mountjoy, MD, WA Academy of Family Physicians (WAFP); Chris Bandoli, Association of WA Healthcare Plans.

**Persons Signed In To Testify But Not Testifying:** No one.