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SENATE BILL 6129

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State of Washington

54th Legislature

1996 Regular Session

By Senators Fairley and Franklin

Read first time 01/08/96. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to mental health services; and adding a new section  
2 to chapter 48.43 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43 RCW  
5 to read as follows:

6 (1) For purposes of this section:

7 (a) "Health carrier" includes disability insurers regulated under  
8 chapter 48.20 or 48.21 RCW, health care services contractors regulated  
9 under chapter 48.44 RCW, plans operating under the health care  
10 authority under chapter 41.05 RCW, the basic health plan operating  
11 under chapter 70.47 RCW, the state health insurance pool operating  
12 under chapter 48.41 RCW, insuring entities regulated under this  
13 chapter, and health maintenance organizations regulated under chapter  
14 48.46 RCW.

15 (b) "Intermediary" means a person duly authorized to negotiate and  
16 execute provider contracts with health carriers on behalf of mental  
17 health care practitioners.

18 (c) Consistent with their lawful scopes of practice, "mental health  
19 care practitioners" includes only the following: Any generally

1 recognized medical specialty of practitioners licensed under chapter  
2 18.57 or 18.71 RCW who provide mental health services, advanced  
3 practice psychiatric nurses as authorized by the nursing care quality  
4 assurance commission under chapter 18.79 RCW, psychologists licensed  
5 under chapter 18.83 RCW, social workers, marriage and family  
6 therapists, and mental health counselors certified under chapter 18.19  
7 RCW.

8 (d) "Mental health services" means outpatient services.

9 (2) No contract between a mental health care practitioner and an  
10 intermediary or between a mental health care practitioner and a health  
11 carrier that is written, amended, or renewed after the effective date  
12 of this section may contain a provision prohibiting a practitioner and  
13 an enrollee from agreeing to contract for services solely at the  
14 expense of the enrollee as follows:

15 (a) On the exhaustion of the enrollee's mental health care  
16 coverage;

17 (b) During an appeal or an adverse certification process;

18 (c) When an enrollee's condition is excluded from coverage; or

19 (d) For any other clinically appropriate reason at any time.

20 (3) This section does not apply to a mental health care  
21 practitioner who is employed full time on the staff of a health  
22 carrier.

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