

HOUSE BILL REPORT

EHB 1968

As Passed House:

March 11, 1999

Title: An act relating to the scope of mental health record audits.

Brief Description: Limiting the scope of mental health record audits.

Sponsors: Representatives Van Luven, Cody, Alexander and Parlette.

Brief History:

Committee Activity:

Health Care: 2/26/99 [DP].

Floor Activity:

Passed House: 3/11/99, 96-0.

Brief Summary of Bill

- Limits a health carrier's access to those mental health records of persons covered by the carrier.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 12 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Schual-Berke, Democratic Vice Chair; Alexander; Boldt; Campbell; Conway; Edmonds; Edwards; Mulliken and Ruderman.

Staff: Bill Hagens (786-7131).

Background:

As private and public purchasers have placed increasing pressure on health carriers to control costs, utilization review (UR) of health services has emerged as a common tool to determine appropriateness. Although state law defines UR as "the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and services of a provider or facility, given or proposed to be given to an enrollee or group of enrollees," there is no uniform

statutory UR requirement for carriers. Proponents of this measure feel that UR access to mental health information needs to be regulated.

Summary of Bill:

Carriers that cover outpatient mental health services are restricted to specific information on the covered enrollee when conducting a utilization review or service audit. Utilization services by carrier are limited to accessing only the health information contained in the enrollee's records. Audits of mental health records are limited to records of enrollees covered by the specific health carrier for which the audit is being performed.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: (regarding identical bill - HB 1366) Restrictions are necessary to prohibit inappropriate release of personally-identifiable mental health records.

Testimony Against: (regarding identical bill - HB 1366) Bill might hamper a carrier's ability to monitor appropriate care and improve efficiency.

Testified: (support HB 1366) Ann Simonds, Washington Association for Marriage and Family Therapy; Laura Groshong, WSSCSW and WSCMHPC; and Melanie Stewart, Washington State Mental Health Counselors.

(oppose HB 1366) Ken Bertrand, Group Health.