

CERTIFICATION OF ENROLLMENT

SENATE BILL 6129

Chapter 304, Laws of 1996

54th Legislature
1996 Regular Session

MENTAL HEALTH SERVICES--CONTRACTING

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 2, 1996
YEAS 48 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 28, 1996
YEAS 94 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 30, 1996

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6129** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 30, 1996 - 4:38 p.m.

**Secretary of State
State of Washington**

SENATE BILL 6129

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

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) Consistent with federal and state law and rule, no contract
10 between a mental health care practitioner and an intermediary or
11 between a mental health care practitioner and a health carrier that is
12 written, amended, or renewed after the effective date of this section
13 may contain a provision prohibiting a practitioner and an enrollee from
14 agreeing to contract for services solely at the expense of the enrollee
15 as follows:

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

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

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

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

21 (3) If a mental health care practitioner provides services to an
22 enrollee during an appeal or adverse certification process, the
23 practitioner must provide to the enrollee written notification that the
24 enrollee is responsible for payment of these services, unless the
25 health carrier elects to pay for services provided.

26 (4) This section does not apply to a mental health care
27 practitioner who is employed full time on the staff of a health
28 carrier.

Passed the Senate March 2, 1996.

Passed the House February 28, 1996.

Approved by the Governor March 30, 1996.

Filed in Office of Secretary of State March 30, 1996.