

2 SHB 2556 - S AMD TO HSC COMM AMD (S5084.1) - 867

3 By Senators A. Anderson, Long, Hargrove and Franklin

4 ADOPTED 3/5/98

5 On page 27, after line 12 of the amendment, insert the following:

6 "Sec. 15. RCW 70.47.060 and 1997 c 337 s 2, 1997 c 335 s 2, 1997
7 c 245 s 6, and 1997 c 231 s 206 are each reenacted and amended to read
8 as follows:

9 The administrator has the following powers and duties:

10 (1) To design and from time to time revise a schedule of covered
11 basic health care services, including physician services, inpatient and
12 outpatient hospital services, prescription drugs and medications, and
13 other services that may be necessary for basic health care. In
14 addition, the administrator may, to the extent that funds are
15 available, offer as basic health plan services chemical dependency
16 services, mental health services and organ transplant services;
17 however, no one service or any combination of these three services
18 shall increase the actuarial value of the basic health plan benefits by
19 more than five percent excluding inflation, as determined by the office
20 of financial management. All subsidized and nonsubsidized enrollees in
21 any participating managed health care system under the Washington basic
22 health plan shall be entitled to receive covered basic health care
23 services in return for premium payments to the plan. The schedule of
24 services shall emphasize proven preventive and primary health care and
25 shall include all services necessary for prenatal, postnatal, and well-
26 child care. However, with respect to coverage for groups of subsidized
27 enrollees who are eligible to receive prenatal and postnatal services
28 through the medical assistance program under chapter 74.09 RCW, the
29 administrator shall not contract for such services except to the extent
30 that such services are necessary over not more than a one-month period
31 in order to maintain continuity of care after diagnosis of pregnancy by
32 the managed care provider. The schedule of services shall also include
33 a separate schedule of basic health care services for children,
34 eighteen years of age and younger, for those subsidized or
35 nonsubsidized enrollees who choose to secure basic coverage through the
36 plan only for their dependent children. In designing and revising the

1 schedule of services, the administrator shall consider the guidelines
2 for assessing health services under the mandated benefits act of 1984,
3 RCW ((48.42.080)) 48.47.030, and such other factors as the
4 administrator deems appropriate.

5 However, with respect to coverage for subsidized enrollees who are
6 eligible to receive prenatal and postnatal services through the medical
7 assistance program under chapter 74.09 RCW, the administrator shall not
8 contract for such services except to the extent that the services are
9 necessary over not more than a one-month period in order to maintain
10 continuity of care after diagnosis of pregnancy by the managed care
11 provider.

12 (2)(a) To design and implement a structure of periodic premiums due
13 the administrator from subsidized enrollees that is based upon gross
14 family income, giving appropriate consideration to family size and the
15 ages of all family members. The enrollment of children shall not
16 require the enrollment of their parent or parents who are eligible for
17 the plan. The structure of periodic premiums shall be applied to
18 subsidized enrollees entering the plan as individuals pursuant to
19 subsection (9) of this section and to the share of the cost of the plan
20 due from subsidized enrollees entering the plan as employees pursuant
21 to subsection (10) of this section.

22 (b) To determine the periodic premiums due the administrator from
23 nonsubsidized enrollees. Premiums due from nonsubsidized enrollees
24 shall be in an amount equal to the cost charged by the managed health
25 care system provider to the state for the plan plus the administrative
26 cost of providing the plan to those enrollees and the premium tax under
27 RCW 48.14.0201.

28 (c) An employer or other financial sponsor may, with the prior
29 approval of the administrator, pay the premium, rate, or any other
30 amount on behalf of a subsidized or nonsubsidized enrollee, by
31 arrangement with the enrollee and through a mechanism acceptable to the
32 administrator.

33 (d) To develop, as an offering by every health carrier providing
34 coverage identical to the basic health plan, as configured on January
35 1, 1996, a basic health plan model plan with uniformity in enrollee
36 cost-sharing requirements.

37 (3) To design and implement a structure of enrollee cost sharing
38 due a managed health care system from subsidized and nonsubsidized
39 enrollees. The structure shall discourage inappropriate enrollee

1 utilization of health care services, and may utilize copayments,
2 deductibles, and other cost-sharing mechanisms, but shall not be so
3 costly to enrollees as to constitute a barrier to appropriate
4 utilization of necessary health care services.

5 (4) To limit enrollment of persons who qualify for subsidies so as
6 to prevent an overexpenditure of appropriations for such purposes.
7 Whenever the administrator finds that there is danger of such an
8 overexpenditure, the administrator shall close enrollment until the
9 administrator finds the danger no longer exists.

10 (5) To limit the payment of subsidies to subsidized enrollees, as
11 defined in RCW 70.47.020. The level of subsidy provided to persons who
12 qualify may be based on the lowest cost plans, as defined by the
13 administrator.

14 (6) To adopt a schedule for the orderly development of the delivery
15 of services and availability of the plan to residents of the state,
16 subject to the limitations contained in RCW 70.47.080 or any act
17 appropriating funds for the plan.

18 (7) To solicit and accept applications from managed health care
19 systems, as defined in this chapter, for inclusion as eligible basic
20 health care providers under the plan. The administrator shall endeavor
21 to assure that covered basic health care services are available to any
22 enrollee of the plan from among a selection of two or more
23 participating managed health care systems. In adopting any rules or
24 procedures applicable to managed health care systems and in its
25 dealings with such systems, the administrator shall consider and make
26 suitable allowance for the need for health care services and the
27 differences in local availability of health care resources, along with
28 other resources, within and among the several areas of the state.
29 Contracts with participating managed health care systems shall ensure
30 that basic health plan enrollees who become eligible for medical
31 assistance may, at their option, continue to receive services from
32 their existing providers within the managed health care system if such
33 providers have entered into provider agreements with the department of
34 social and health services.

35 (8) To receive periodic premiums from or on behalf of subsidized
36 and nonsubsidized enrollees, deposit them in the basic health plan
37 operating account, keep records of enrollee status, and authorize
38 periodic payments to managed health care systems on the basis of the

1 number of enrollees participating in the respective managed health care
2 systems.

3 (9) To accept applications from individuals residing in areas
4 served by the plan, on behalf of themselves and their spouses and
5 dependent children, for enrollment in the Washington basic health plan
6 as subsidized or nonsubsidized enrollees, to establish appropriate
7 minimum-enrollment periods for enrollees as may be necessary, and to
8 determine, upon application and on a reasonable schedule defined by the
9 authority, or at the request of any enrollee, eligibility due to
10 current gross family income for sliding scale premiums. Funds received
11 by a family as part of participation in the adoption support program
12 authorized under RCW 26.33.320 and 74.13.100 through 74.13.145 shall
13 not be counted toward a family's current gross family income for the
14 purposes of this chapter. No subsidy may be paid with respect to any
15 enrollee whose current gross family income exceeds twice the federal
16 poverty level or, subject to RCW 70.47.110, who is a recipient of
17 medical assistance or medical care services under chapter 74.09 RCW.
18 If, as a result of an eligibility review, the administrator determines
19 that a subsidized enrollee's income exceeds twice the federal poverty
20 level and that the enrollee knowingly failed to inform the plan of such
21 increase in income, the administrator may bill the enrollee for the
22 subsidy paid on the enrollee's behalf during the period of time that
23 the enrollee's income exceeded twice the federal poverty level. If a
24 number of enrollees drop their enrollment for no apparent good cause,
25 the administrator may establish appropriate rules or requirements that
26 are applicable to such individuals before they will be allowed to
27 reenroll in the plan.

28 (10) To accept applications from business owners on behalf of
29 themselves and their employees, spouses, and dependent children, as
30 subsidized or nonsubsidized enrollees, who reside in an area served by
31 the plan. The administrator may require all or the substantial
32 majority of the eligible employees of such businesses to enroll in the
33 plan and establish those procedures necessary to facilitate the orderly
34 enrollment of groups in the plan and into a managed health care system.
35 The administrator may require that a business owner pay at least an
36 amount equal to what the employee pays after the state pays its portion
37 of the subsidized premium cost of the plan on behalf of each employee
38 enrolled in the plan. Enrollment is limited to those not eligible for
39 medicare who wish to enroll in the plan and choose to obtain the basic

1 health care coverage and services from a managed care system
2 participating in the plan. The administrator shall adjust the amount
3 determined to be due on behalf of or from all such enrollees whenever
4 the amount negotiated by the administrator with the participating
5 managed health care system or systems is modified or the administrative
6 cost of providing the plan to such enrollees changes.

7 (11) To determine the rate to be paid to each participating managed
8 health care system in return for the provision of covered basic health
9 care services to enrollees in the system. Although the schedule of
10 covered basic health care services will be the same for similar
11 enrollees, the rates negotiated with participating managed health care
12 systems may vary among the systems. In negotiating rates with
13 participating systems, the administrator shall consider the
14 characteristics of the populations served by the respective systems,
15 economic circumstances of the local area, the need to conserve the
16 resources of the basic health plan trust account, and other factors the
17 administrator finds relevant.

18 (12) To monitor the provision of covered services to enrollees by
19 participating managed health care systems in order to assure enrollee
20 access to good quality basic health care, to require periodic data
21 reports concerning the utilization of health care services rendered to
22 enrollees in order to provide adequate information for evaluation, and
23 to inspect the books and records of participating managed health care
24 systems to assure compliance with the purposes of this chapter. In
25 requiring reports from participating managed health care systems,
26 including data on services rendered enrollees, the administrator shall
27 endeavor to minimize costs, both to the managed health care systems and
28 to the plan. The administrator shall coordinate any such reporting
29 requirements with other state agencies, such as the insurance
30 commissioner and the department of health, to minimize duplication of
31 effort.

32 (13) To evaluate the effects this chapter has on private employer-
33 based health care coverage and to take appropriate measures consistent
34 with state and federal statutes that will discourage the reduction of
35 such coverage in the state.

36 (14) To develop a program of proven preventive health measures and
37 to integrate it into the plan wherever possible and consistent with
38 this chapter.

1 (15) To provide, consistent with available funding, assistance for
2 rural residents, underserved populations, and persons of color.

3 (16) In consultation with appropriate state and local government
4 agencies, to establish criteria defining eligibility for persons
5 confined or residing in government-operated institutions."

6 Renumber the remaining sections consecutively and correct any
7 internal references accordingly.

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10 ADOPTED 3/5/98

11 On page 27, line 21 of the title amendment, after "26.44.020,"
12 strike "and" and on page 27, line 22 of the title amendment, after
13 "74.13.031" insert ", and 70.47.060"

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