SHB 1099 - H AMD **36**
       By Representative Jinkins

1   Strike everything after the enacting clause and insert the
2 following:

3   "NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43
4 RCW to read as follows:
5   (1) The commissioner shall amend his or her rules on electronic
6 provider directories to require health carriers to include a notation
7 when any mental health provider or substance abuse provider is closed
8 to new patients.
9   (2) Beginning January 1, 2020, a health carrier shall prominently
10 post the information listed in (a) through (e) of this subsection on
11 its web site in an easily understandable format and in a manner that
12 any interested party may obtain the information:
13   (a) Whether the health carrier classifies mental health treatment
14 and substance abuse treatment as primary care or specialty care and
15 the number of business days within which an enrollee must have access
16 to covered mental health treatment services and substance abuse
17 treatment services under network access standards pertaining to
18 primary care or specialty care, as applicable, adopted by the
19 commissioner;
20   (b) Information on actions an enrollee may take if he or she is
21 unable to access covered mental health treatment services or
22 substance abuse treatment services within the requisite number of
23 business days, including any tools or resources the carrier makes
24 available to enrollees to assist them in finding available providers
25 and information on how to file a complaint with the office of the
26 insurance commissioner;
27   (c) Any instances where the commissioner has taken disciplinary
28 action against the health carrier for failing to comply with network
29 access standards for covered mental health treatment services or
30 substance abuse treatment services;
31   (d) A link to the commissioner's report published under
32 subsection (5) of this section; and

1   (e) Resources for persons who are experiencing a mental health

2 crisis including, but not limited to, information on the national

3 suicide prevention lifeline.

4   (3) The commissioner shall, by rule, specify a model format for

5 the information required to be posted on a health carrier's web site

6 under subsection (2) of this section.

7   (4) The commissioner may audit the information a health carrier

8 provides under this section for accuracy.

9   (5) The commissioner shall annually publish on the commissioner's

10 web site a report on the number of consumer complaints per licensed

11 health carrier the commissioner received in the previous calendar

12 year regarding consumers who were not able to access covered mental

13 health treatment services or substance abuse treatment services

14 within the time limits established by the commissioner for primary

15 care or specialty care.

16   <u>NEW SECTION.</u> **Sec. 2.** This act may be known and cited as

17 Brennen's law."

18   Correct the title.

     <u>EFFECT:</u> Removes the requirement that a health carrier include in its electronic posting of a health plan's provider directory a notation of any behavioral health provider whose practice is closed to new patients. Instead, requires the Insurance Commissioner to amend existing rules on electronic provider directories to require health carriers to include a notation when any mental health provider or substance abuse provider is closed to new patients. Requires a health carrier to post on its web site whether it classifies mental health treatment and substance abuse treatment as primary care or specialty care and the number of business days within which an enrollee must have access to those services under network access standards pertaining to primary care or specialty care, as applicable, instead of requiring the health carrier to post the number of business days within which an enrollee must be able to access behavioral health services. Changes references to "behavioral health services" to "mental health or substance abuse services." Allows the bill to be known and cited as Brennen's Law.

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