

---

**SENATE BILL 5629**

---

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Conway, Dhingra, Hasegawa, Nobles, and C. Wilson

Read first time 01/30/23. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to hepatitis B and hepatitis C screening and  
2 health care services; and adding a new section to chapter 18.130 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 18.130  
5 RCW to read as follows:

6 (1) Except as provided in subsection (2) of this section, primary  
7 care providers shall offer a hepatitis B screening test and a  
8 hepatitis C screening test to any patient receiving patient care  
9 services, to the extent these services are covered under the  
10 patient's health insurance, based on the latest screening indications  
11 recommended by the United States preventive services task force.

12 (2) A hepatitis B screening test and a hepatitis C screening test  
13 are not required to be offered by the primary care provider if the  
14 primary care provider reasonably believes that:

15 (a) The patient is being treated for a life-threatening  
16 emergency;

17 (b) The patient has previously been offered or has been the  
18 subject of a hepatitis B screening test or hepatitis C screening  
19 test, unless the primary care provider determines that one or both of  
20 the screening tests should be offered again;

1 (c) The patient lacks capacity to consent to a hepatitis B  
2 screening test or hepatitis C screening test, or both; or

3 (d) The patient is receiving emergency medical service or  
4 designated trauma care service as defined in RCW 70.168.015.

5 (3)(a) If the patient accepts the offer of the hepatitis B  
6 screening test and the test is hepatitis B surface antigen (HBsAg)  
7 positive, the primary care provider shall offer the patient follow-up  
8 health care or refer the patient to another primary care provider who  
9 can provide follow-up health care.

10 (b) If a patient accepts the offer of the hepatitis C screening  
11 test and the test is positive, the primary care provider shall offer  
12 the patient follow-up health care or refer the patient to another  
13 primary care provider who can provide follow-up health care. The  
14 follow-up health care shall include a hepatitis C diagnostic test  
15 (HCV RNA).

16 (4) The offering of a hepatitis B screening test and hepatitis C  
17 screening test under this section must be culturally and  
18 linguistically appropriate.

19 (5) This section does not affect the scope of practice of any  
20 primary care provider or diminish any authority or legal or  
21 professional obligation of any primary care provider to offer a  
22 hepatitis B screening test, hepatitis C screening test, or both, or a  
23 hepatitis C diagnostic test, or to provide services or care for the  
24 patient of a hepatitis B screening test, hepatitis C screening test,  
25 or both, or a hepatitis C diagnostic test.

26 (6) A primary care provider that fails to comply with the  
27 requirements of this section shall not be subject to any disciplinary  
28 actions related to their licensure or certification, or to any civil  
29 or criminal liability, because of the primary care provider's failure  
30 to comply with the requirements of this section.

31 (7) The department may adopt rules necessary to implement this  
32 section and any additional rules involving the offering of screening  
33 tests and treatment requirements for hepatitis B and C and the  
34 training for primary care providers.

35 (8) For purposes of this section, the following definitions  
36 apply:

37 (a) "Follow-up health care" includes providing medical management  
38 and antiviral treatment for chronic hepatitis B or hepatitis C  
39 according to the latest national clinical practice guidelines

1 recommended by the American association for the study of liver  
2 diseases.

3 (b) "Hepatitis B screening test" includes any laboratory tests or  
4 tests that detect the presence of hepatitis B surface antigen (HBsAg)  
5 and provides confirmation of whether the patient has a chronic  
6 hepatitis B infection.

7 (c) "Hepatitis C diagnostic test" includes any laboratory test or  
8 tests that detect the presence of the hepatitis C virus in the blood  
9 and provides confirmation of whether the patient has an active  
10 hepatitis C virus infection.

11 (d) "Hepatitis C screening test" includes any laboratory  
12 screening test or tests that detect the presence of hepatitis C virus  
13 antibodies in the blood and provides confirmation of whether the  
14 patient has ever been infected with the hepatitis C virus.

15 (e) "Primary care providers" includes general practice  
16 physicians, family practitioners, internists, pediatricians,  
17 osteopathic physicians, naturopaths, physician assistants, and  
18 advanced registered nurse practitioners licensed under this title.

--- END ---