

**WAC 284-52-070 Exclusions.** No policy or contract set forth in WAC 284-52-040, 284-52-050, and 284-52-060 may exclude coverage by type of illness, injury, accident, treatment, or medical condition, except with respect to the following:

- (1) Alcoholism and drug addiction.
- (2) Pregnancy, except for complications of pregnancy.
- (3) Illness, treatment or medical condition arising out of:
  - (a) War or act of war (whether declared or undeclared); participation in a felony, riot or insurrection; service in the armed forces or units auxiliary thereto.
  - (b) Suicide (sane or insane), attempted suicide or intentionally self-inflicted injury.
  - (c) Aviation.
- (4) Cosmetic surgery, except that "cosmetic surgery" shall not include reconstructive surgery when such service is incidental to or follows covered surgery resulting from trauma, infection or other diseases of the involved part, reconstructive breast surgery covered pursuant to RCW 48.20.395, 48.21.230, 48.44.330 and 48.46.280, and reconstructive surgery because of congenital disease or anomaly of a covered dependent child which has resulted in a functional defect.
- (5) Foot care in connection with corns, calluses, flat feet, fallen arches, weak feet, or chronic foot strain.
- (6) Treatment (except emergency treatment for which legal liability exists to the covered person for the costs thereof) provided in a government hospital; benefits provided under medicare or other governmental program (except medicaid), any state or federal worker's compensation, employer's liability or occupational disease law; service rendered by employees of hospitals, laboratories or other institutions; services performed by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance.
- (7) Dental care or treatment.
- (8) Eye glasses, hearing aids, and examination for the prescription or fitting thereof.
- (9) Rest cures, custodial care, transportation, and routine physical examinations.
- (10) Territorial limitations.
- (11) Other exclusions commonly used by the particular carrier in group contracts providing hospital or medical benefits to employee groups.

[Statutory Authority: RCW 48.02.060, 48.44.050, and 48.46.200. WSR 08-03-126 (Matter No. R 2007-14), § 284-52-070, filed 1/23/08, effective 2/23/08; WSR 84-19-055 (Order R 84-4), § 284-52-070, filed 9/19/84.]