
SENATE BILL 5458

State of Washington

53rd Legislature

1993 Regular Session

By Senators Wojahn and Sheldon

Read first time 01/29/93. Referred to Committee on Health & Human Services.

1 AN ACT Relating to prescription claims insurance coverage; adding
2 a new section to chapter 48.20 RCW; adding a new section to chapter
3 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new
4 section to chapter 48.46 RCW; creating a new section; and declaring an
5 emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that:

8 (1) Many health care insurance programs are now screening submitted
9 prescription claims for approved uses as determined by the federal food
10 and drug administration, rejecting prescriptions for what the insurance
11 companies have determined as inappropriate use of the drug.

12 (2) Application for approval and marketing of a new drug is a very
13 time consuming and expensive process.

14 (3) Once a drug has been approved for the use submitted in the
15 original application, and is marketed, other potential uses for the
16 drug are discovered, and reported in the literature.

17 (4) Many times, the drug is used for years for these other
18 conditions before some entity files an application to include these
19 other uses in the labeling.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.20 RCW
2 to read as follows:

3 Disability insurance companies may not reject prescription claims
4 based on the use of a drug, if the use is recognized as an appropriate
5 use by equivalent practitioners, or is a recognized or recommended use
6 in the health care literature. Disability insurance companies may not
7 require contract provisions that constitute a violation of federal or
8 state laws.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.21 RCW
10 to read as follows:

11 Group disability insurance companies may not reject prescription
12 claims based on the use of a drug, if the use is recognized as an
13 appropriate use by equivalent practitioners, or is a recognized or
14 recommended use in the health care literature. Group disability
15 insurance companies may not require contract provisions that constitute
16 a violation of federal or state laws.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.44 RCW
18 to read as follows:

19 Health care service companies may not reject prescription claims
20 based on the use of a drug, if the use is recognized as an appropriate
21 use by equivalent practitioners, or is a recognized or recommended use
22 in the health care literature. The health care service companies may
23 not require contract provisions that constitute a violation of federal
24 or state laws.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 48.46 RCW
26 to read as follows:

27 Health maintenance entities may not reject prescription claims
28 based on the use of a drug, if the use is recognized as an appropriate
29 use by equivalent practitioners, or is a recognized or recommended use
30 in the health care literature. The health maintenance entities may not
31 require contract provisions that constitute a violation of federal or
32 state laws.

33 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take
2 effect immediately.

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