
SUBSTITUTE SENATE BILL 5398

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Brown, Kohl-Welles, Eide, Patterson, Kline, Costa, Gardner and Wojahn)

Read first time 03/03/1999.

1 AN ACT Relating to health insurance benefits for eating disorders;
2 adding new sections to chapter 48.43 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the health and
5 well-being of children and young adults is of critical importance to
6 the public welfare. The legislature further finds that eating
7 disorders are more prevalent among adolescents and young adults, and
8 that the incidence of the disease has increased in recent decades. The
9 legislature further finds that persons with eating disorders often fail
10 to receive the comprehensive care that studies have shown to be most
11 useful in treating these illnesses. This lack of adequate coverage has
12 a detrimental effect on the men and women most commonly afflicted with
13 these illnesses, and can result in long-term emotional and physical
14 damage, including death from starvation and suicide.

15 It is the intent of the legislature to improve the general welfare
16 of children, adolescents, and adults by ensuring that health carriers
17 provide sufficient health care coverage to effectively treat eating
18 disorders.

1 NEW SECTION. **Sec. 2.** The definitions in this section apply
2 throughout sections 3 through 5 of this act, unless the context clearly
3 requires otherwise.

4 (1) "Eating disorder" means the eating disorders covered by the
5 diagnostic categories listed in the most current version of the
6 diagnostic and statistical manual of mental disorders on the effective
7 date of this section, or such subsequent date as may be provided by the
8 commissioner by rule, consistent with the purposes of chapter . . . ,
9 Laws of 1999 (this act).

10 (2) "Health carrier" or "carrier" includes disability insurers
11 regulated under chapter 48.20 or 48.21 RCW, health care services
12 contractors regulated under chapter 48.44 RCW, health maintenance
13 organizations regulated under chapter 48.46 RCW, plans operating under
14 the health care authority under chapter 41.05 RCW, the state health
15 insurance pool operating under chapter 48.41 RCW, and insuring entities
16 regulated under this chapter.

17 NEW SECTION. **Sec. 3.** (1) Every health carrier that provides
18 coverage for hospital or medical care shall provide coverage for
19 treatment for eating disorders. Where appropriate, treatment may
20 involve a comprehensive approach, which may include, but is not limited
21 to, a primary care physician, an internist, a nutritionist, a
22 dietician, a psychotherapist, a psychopharmacologist, and family
23 counseling.

24 (2) The schedule of services for the treatment of eating disorders
25 required by sections 2 through 5 of this act must be at least as
26 favorable as the coverage made available for services and benefits for
27 other major illnesses and must include the durational limits, amount
28 limits, deductibles, coinsurance factors, visits, or day limits that
29 are at least as favorable as those for services and benefits for other
30 major illnesses. However, no health carrier is required to initiate
31 the use of such a deductible or limit.

32 (3) This section does not prohibit an insuring entity from
33 requiring the use of preauthorization screening prior to authorizing
34 the treatment of eating disorders or the requirement that the treatment
35 of eating disorders be medically necessary as determined by its medical
36 director or his or her designee.

1 NEW SECTION. **Sec. 4.** Every health carrier must provide notice to
2 policyholders regarding the coverage required under sections 2 through
3 5 of this act. The notice must be in writing and must be transmitted
4 to the policyholder when the yearly summary of benefits is mailed to
5 the policyholder, or July 31, 2000, whichever is earlier.

6 NEW SECTION. **Sec. 5.** All health benefit plans issued or renewed
7 by any health carrier after December 31, 1999, are required to be in
8 accordance with sections 2 through 4 of this act.

9 NEW SECTION. **Sec. 6.** Sections 2 through 5 of this act are each
10 added to chapter 48.43 RCW.

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