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SENATE BILL 5398

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State of Washington

56th Legislature

1999 Regular Session

By Senators Brown, Kohl-Welles, Eide, Patterson, Kline, Costa, Gardner and Wojahn

Read first time 01/21/1999. Referred to Committee on Health & Long-Term Care.

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

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

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

16 It is the intent of the legislature to improve the general welfare  
17 of children, adolescents, and adults by ensuring that health carriers  
18 provide sufficient health care coverage to effectively treat eating  
19 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 psychotherapist, a psychopharmacologist, and family counseling.

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

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

36       NEW SECTION.    **Sec. 4.**    Every health carrier must provide notice to  
37 policyholders regarding the coverage required under sections 2 through

1 5 of this act. The notice must be in writing and must be transmitted  
2 to the policyholder when the yearly summary of benefits is mailed to  
3 the policyholder, or January 1, 2000, whichever is earlier.

4 NEW SECTION. **Sec. 5.** All health insurance policies issued or  
5 renewed after July 1, 1999, are required to be in accordance with  
6 sections 2 through 4 of this act.

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

9 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and takes effect  
12 immediately.

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