

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1364**

Chapter 321, Laws of 2001

57th Legislature  
2001 Regular Legislative Session

GENERAL ANESTHESIA SERVICES

EFFECTIVE DATE: 7/22/01

Passed by the House April 16, 2001  
Yeas 94 Nays 0

FRANK CHOPP  
**Speaker of the House of Representatives**

CLYDE BALLARD  
**Speaker of the House of Representatives**

Passed by the Senate April 10, 2001  
Yeas 47 Nays 0

BRAD OWEN  
**President of the Senate**

Approved May 15, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1364** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 15, 2001 - 2:45 p.m.

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 1364**

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AS AMENDED BY THE SENATE

Passed Legislature - 2001 Regular Session

**State of Washington                      57th Legislature                      2001 Regular Session**

**By** House Committee on Health Care (originally sponsored by Representatives Pflug, Edmonds, Cody, Campbell, Boldt, Doumit, Pennington and Schual-Berke)

Read first time . Referred to Committee on .

1            AN ACT Relating to general anesthesia services; adding a new  
2 section to chapter 41.05 RCW; and adding a new section to chapter 48.43  
3 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 41.05 RCW  
6 to read as follows:

7            (1) Each employee benefit plan offered to public employees that  
8 provides coverage for hospital, medical, or ambulatory surgery center  
9 services must cover general anesthesia services and related facility  
10 charges in conjunction with any dental procedure performed in a  
11 hospital or ambulatory surgical center if such anesthesia services and  
12 related facility charges are medically necessary because the covered  
13 person:

14            (a) Is under the age of seven, or physically or developmentally  
15 disabled, with a dental condition that cannot be safely and effectively  
16 treated in a dental office; or

17            (b) Has a medical condition that the person's physician determines  
18 would place the person at undue risk if the dental procedure were

1 performed in a dental office. The procedure must be approved by the  
2 person's physician.

3 (2) Each employee benefit plan offered to public employees that  
4 provides coverage for dental services must cover general anesthesia  
5 services in conjunction with any covered dental procedure performed in  
6 a dental office if the general anesthesia services are medically  
7 necessary because the covered person is under the age of seven or  
8 physically or developmentally disabled.

9 (3) This section does not prohibit an employee benefit plan from:

10 (a) Applying cost-sharing requirements, maximum annual benefit  
11 limitations, and prior authorization requirements to the services  
12 required under this section; or

13 (b) Covering only those services performed by a health care  
14 provider, or in a health care facility, that is part of its provider  
15 network; nor does it limit the authority in negotiating rates and  
16 contracts with specific providers.

17 (4) This section does not apply to medicare supplement policies, or  
18 supplemental contracts covering a specified disease or other limited  
19 benefits.

20 (5) For the purpose of this section, "general anesthesia services"  
21 means services to induce a state of unconsciousness accompanied by a  
22 loss of protective reflexes, including the ability to maintain an  
23 airway independently and respond purposefully to physical stimulation  
24 or verbal command.

25 (6) This section applies to employee benefit plans issued or  
26 renewed on or after January 1, 2002.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.43 RCW  
28 to read as follows:

29 (1) Each group health benefit plan that provides coverage for  
30 hospital, medical, or ambulatory surgery center services must cover  
31 general anesthesia services and related facility charges in conjunction  
32 with any dental procedure performed in a hospital or ambulatory  
33 surgical center if such anesthesia services and related facility  
34 charges are medically necessary because the covered person:

35 (a) Is under the age of seven, or physically or developmentally  
36 disabled, with a dental condition that cannot be safely and effectively  
37 treated in a dental office; or

1 (b) Has a medical condition that the person's physician determines  
2 would place the person at undue risk if the dental procedure were  
3 performed in a dental office. The procedure must be approved by the  
4 person's physician.

5 (2) Each group health benefit plan or group dental plan that  
6 provides coverage for dental services must cover medically necessary  
7 general anesthesia services in conjunction with any covered dental  
8 procedure performed in a dental office if the general anesthesia  
9 services are medically necessary because the covered person is under  
10 the age of seven or physically or developmentally disabled.

11 (3) This section does not prohibit a group health benefit plan or  
12 group dental plan from:

13 (a) Applying cost-sharing requirements, maximum annual benefit  
14 limitations, and prior authorization requirements to the services  
15 required under this section; or

16 (b) Covering only those services performed by a health care  
17 provider, or in a health care facility, that is part of its provider  
18 network; nor does it limit the health carrier in negotiating rates and  
19 contracts with specific providers.

20 (4) This section does not apply to medicare supplement policies, or  
21 supplemental contracts covering a specified disease or other limited  
22 benefits.

23 (5) For the purpose of this section, "general anesthesia services"  
24 means services to induce a state of unconsciousness accompanied by a  
25 loss of protective reflexes, including the ability to maintain an  
26 airway independently and respond purposefully to physical stimulation  
27 or verbal command.

28 (6) This section applies to group health benefit plans and group  
29 dental plans issued or renewed on or after January 1, 2002.

Passed the House April 16, 2001.

Passed the Senate April 10, 2001.

Approved by the Governor May 15, 2001.

Filed in Office of Secretary of State May 15, 2001.