

SENATE BILL REPORT

HB 2014

As Reported By Senate Committee On:
Health & Long-Term Care, February 19, 2004

Title: An act relating to insurance coverage for injuries sustained because of alcohol or narcotic use.

Brief Description: Preventing denial of insurance coverage for injuries caused by narcotic or alcohol use.

Sponsors: Representatives Flannigan, Delvin, Kirby, Moeller, Lovick, Lantz, G. Simpson, Shabro, Edwards and Kagi.

Brief History:

Committee Activity: Health & Long-Term Care: 2/19/04 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Deccio, Chair; Winsley, Vice Chair; Brandland, Franklin, Keiser, Parlette and Thibaudeau.

Staff: Jonathan Seib (786-7427)

Background: Current law, adopted in 1947 as part of the Uniform Policy Provision Law, explicitly allows individual disability insurance policies to include a provision under which the insurer may deny payment for the treatment of injuries sustained as a consequence of the insured person being intoxicated or under the influence of a narcotic.

This provision applies only to individual disability insurance policies, and in those policies it is not frequently used. There is concern, however, that the mere existence of the law is problematic. Trauma centers, for example, may not measure the blood alcohol level of an injured patient because of the possibility that doing so will result in payment denial. By not measuring blood alcohol level, the opportunity to identify those who could benefit from alcohol or substance abuse treatment may be missed.

Summary of Bill: The law allowing individual disability insurance policies to deny payment for the treatment of injuries sustained as a consequence of the insured person being intoxicated or under the influence of a narcotic is repealed.

All health carriers are explicitly prohibited from denying coverage for the treatment of an injury solely because the injury was sustained as a consequence of the insured's being intoxicated or under the influence of alcohol.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a significant piece of legislation that will allow hospitals to put in place policies to do uniform alcohol and drug abuse testing, allowing for appropriate treatment interventions and ultimately saving money by preventing additional injuries. Many other states have adopted legislation similar to this. The health carriers are not opposed

Testimony Against: None.

Testified: PRO: Representative Shay Schual-Berke; Ken Stark, DSHS; Richard Ries, M.D., University of Washington School of Medicine.