

# SENATE BILL REPORT

## SJM 8041

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As Reported By Senate Committee On:  
Health & Long-Term Care, February 4, 2004

**Brief Description:** Requesting federal support for health care parity.

**Sponsors:** Senators Jacobsen, Berkey, Schmidt, Kastama, Kline, Keiser, Kohl-Welles, Spanel, Eide, Rasmussen and Winsley.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/3/04, 2/4/04 [DP].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

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

**Staff:** Jonathan Seib (786-7427)

**Background:** The non-discrimination provisions of the Health Insurance Portability and Accountability Act (HIPAA) prohibit a carrier from denying enrollment in a group benefit plan based on "evidence of insurability." This means, among other things, that a person cannot be denied enrollment in a group plan because of the type of recreational activities in which he or she participates.

HIPAA, however, does allow group benefit plans to exclude coverage of a particular injury based on the source of that injury. Thus, a plan may provide that injuries sustained by an enrollee while engaged in activities such as motorcycling or skiing are not covered.

Legislation has been introduced in Congress which would amend HIPAA to address this issue. "The Health Care Parity for Legal Transportation and Recreational Activities Act" would prohibit a group benefit plan from denying benefits, otherwise provided under the plan, for treatment of an injury solely because the injury resulted from participation in a legal mode of transportation or legal recreational activities.

**Summary of Bill:** The Legislature petitions Congress to pass and the President to sign "The Health Care Parity for Legal Transportation and Recreational Activities Act."

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Testimony For:** The federal legislation is important because motorcyclists do not want to be in a position of being hurt and not having their insurance cover the necessary treatment. There is little opposition to the federal legislation. Motorcycle riders from Washington will be going to Washington D.C. the first week in March to support the federal legislation. They would like to deliver this endorsement in person to the congressional delegation.

**Testimony Against:** None.

**Testified:** PRO: Senator Jacobsen, prime sponsor; Karen Bolin, Washington Road Riders Association, American Motorcycle Association, Motorcycle Riders Foundation.