

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5597

Chapter 502, Laws of 2007

60th Legislature
2007 Regular Session

CHIROPRACTORS--INSURANCE

EFFECTIVE DATE: 01/01/08

Passed by the Senate April 14, 2007
YEAS 41 NAYS 6

BRAD OWEN

President of the Senate

Passed by the House April 6, 2007
YEAS 84 NAYS 10

FRANK CHOPP

Speaker of the House of Representatives

Approved May 15, 2007, 2:54 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5597** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 16, 2007

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5597

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Benton, Zarelli, Kauffman, Kline, Carrell, Poulsen, Keiser, Kohl-Welles, Delvin and Roach)

READ FIRST TIME 03/05/07.

1 AN ACT Relating to contracts with chiropractors; amending RCW
2 41.05.017; adding a new section to chapter 48.43 RCW; creating a new
3 section; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43 RCW
6 to read as follows:

7 (1) A health carrier must reimburse a chiropractor who has signed
8 a participating provider agreement for services determined by the
9 carrier to be medically necessary if:

10 (a) The service is:

11 (i) Covered chiropractic health care, as defined in RCW 48.43.515,
12 by the health plan under which the enrollee received the services; and

13 (ii) Provided by the chiropractor, or the chiropractor's employee
14 specified in RCW 18.25.190 (2) or (3) who works in the same location as
15 the chiropractor and to whom the chiropractor, pursuant to rules
16 adopted by the Washington state chiropractic quality assurance
17 commission, has delegated the service. The employee must meet the
18 health carrier's reasonable qualifications for all such providers in

1 the relevant class, including but not limited to standards for
2 education and background checks, as applicable; and

3 (b) The chiropractor complies with the terms and conditions of the
4 participating provider agreement. Violations of the participating
5 provider agreement by an employee of the chiropractor to whom he or she
6 has delegated a service may be deemed by the carrier to have been
7 committed by the chiropractor.

8 (2) If a health carrier offers a participating provider agreement
9 to a chiropractor within a single practice organized as a sole
10 proprietorship, partnership, or corporation, the carrier must offer the
11 same participating provider agreement to any other chiropractor within
12 that practice providing services at the same location. The agreement
13 may allow either party to terminate it without cause.

14 **Sec. 2.** RCW 41.05.017 and 2000 c 5 s 20 are each amended to read
15 as follows:

16 Each health plan that provides medical insurance offered under this
17 chapter, including plans created by insuring entities, plans not
18 subject to the provisions of Title 48 RCW, and plans created under RCW
19 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045,
20 48.43.505 through 48.43.535, 43.70.235, 48.43.545, 48.43.550,
21 70.02.110, (~~and~~) 70.02.900, and section 1 of this act.

22 NEW SECTION. **Sec. 3.** This act does not affect any existing right
23 acquired or liability or obligation incurred prior to the effective
24 date of this act.

25 NEW SECTION. **Sec. 4.** If any provision of this act or its
26 application to any person or circumstance is held invalid, the
27 remainder of the act or the application of the provision to other
28 persons or circumstances is not affected.

29 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2008.
Passed by the Senate April 14, 2007.
Passed by the House April 6, 2007.
Approved by the Governor May 15, 2007.
Filed in Office of Secretary of State May 16, 2007.