AN ACT Relating to providing notice about network adequacy to consumers; adding a new section to chapter 48.43 RCW; and creating a new section.

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

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

(1) The commissioner shall amend his or her rules on electronic provider directories to require health carriers to include a notation when any mental health provider or substance abuse provider is closed to new patients.

(2) Beginning January 1, 2020, a health carrier shall prominently post the information listed in (a) through (e) of this subsection on its web site in an easily understandable format and in a manner that any interested party may obtain the information:

(a) Whether the health carrier classifies mental health treatment and substance abuse treatment as primary care or specialty care and the number of business days within which an enrollee must have access to covered mental health treatment services and substance abuse treatment services under network access standards pertaining to primary care or specialty care, as applicable, adopted by the commissioner;
(b) Information on actions an enrollee may take if he or she is
unable to access covered mental health treatment services or
substance abuse treatment services within the requisite number of
business days, including any tools or resources the carrier makes
available to enrollees to assist them in finding available providers
and information on how to file a complaint with the office of the
insurance commissioner;

(c) Any instances where the commissioner has taken disciplinary
action against the health carrier for failing to comply with network
access standards for covered mental health treatment services or
substance abuse treatment services;

(d) A link to the commissioner's report published under
subsection (5) of this section; and

(e) Resources for persons who are experiencing a mental health
crisis including, but not limited to, information on the national
suicide prevention lifeline.

(3) The commissioner shall, by rule, specify a model format for
the information required to be posted on a health carrier's web site
under subsection (2) of this section.

(4) The commissioner may audit the information a health carrier
provides under this section for accuracy.

(5) The commissioner shall annually publish on the commissioner's
web site a report on the number of consumer complaints per licensed
health carrier the commissioner received in the previous calendar
year regarding consumers who were not able to access covered mental
health treatment services or substance abuse treatment services
within the time limits established by the commissioner for primary
care or specialty care.

NEW SECTION. Sec. 2. This act may be known and cited as
Brennen's law.

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