

**2SSB 5393 - S AMD 191**

By Senator Robinson

**NOT CONSIDERED 05/17/2023**

1 On page 4, beginning line 4, after "means" strike all material  
2 through "entity" on line 7 and insert "a provision of a provider  
3 contract that:

4 (i) Requires the health carrier to include all hospitals or  
5 affiliates of a hospital in a network plan; or

6 (ii) Requires the health carrier to enter into any additional  
7 contract with another hospital or affiliate of a hospital as a  
8 condition of entering into a contract with such hospitals or  
9 affiliates of a hospital"

10 On page 5, line 10, after "state" insert ", considering factors  
11 including but not limited to health plan rates and historical trends,  
12 commercial provider payment rates, the number of carriers offering  
13 coverage in the state, and the number and types of hospitals or  
14 health care systems operating in the state"

15 On page 5, beginning on line 11, after "include" strike all  
16 material though "market" on line 15 and insert "a review of  
17 enforcement of federal and state laws and activities related to  
18 anticompetitive behaviors in the health care market by the federal  
19 trade commission, the United States department of justice, and the  
20 Washington state attorney general's office"

EFFECT: Modifies the definition of "all-or-nothing clause." Adds  
specificity to the type of data OIC must consider when studying other  
states regulatory approaches to address affordability. Modifies the  
OIC study direction pertaining to reviewing federal and state  
activities related to anticompetitive behavior.

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