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**SENATE BILL 5100**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senators Wellman, Rivers, Dhingra, and C. Wilson

Prefiled 12/27/22. Read first time 01/09/23. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to breast or chest wall reconstruction surgery;  
2 adding a new section to chapter 48.43 RCW; adding a new section to  
3 chapter 43.70 RCW; and repealing RCW 48.44.330, 48.46.280, 48.20.395,  
4 and 48.21.230.

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

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

8 (1) A health plan shall provide coverage for breast  
9 reconstruction surgery after a mastectomy or partial mastectomy for  
10 all stages of reconstruction of the breast on which the mastectomy or  
11 partial mastectomy has been performed and surgery and reconstruction  
12 of the other breast to produce a symmetrical appearance.

13 (2) A health plan issued or renewed on or after January 1, 2024,  
14 shall provide coverage for chest wall reconstruction surgery after a  
15 mastectomy or partial mastectomy for all stages of reconstruction of  
16 the chest wall on which the mastectomy or partial mastectomy has been  
17 performed and surgery and reconstruction of the other chest wall to  
18 produce a symmetrical appearance.

19 (3) Coverage for chest wall reconstruction surgery shall include  
20 aesthetic flat closure as defined by the national cancer institute.

1 (4) Coverage for breast or chest wall reconstructive surgery  
2 shall be provided without prior authorization.

3 (5) Coverage may be subject to annual deductibles or other cost-  
4 sharing requirements.

5 (6) Written notice of the availability of coverage shall be  
6 provided to the enrollee upon enrollment and annually thereafter.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70  
8 RCW to read as follows:

9 (1) The department shall develop a standardized written summary  
10 explaining the medically viable methods of treating breast cancer,  
11 including but not limited to hormonal, radiological, chemotherapeutic  
12 or surgical treatments, or combinations thereof. The summary shall  
13 contain information on breast or chest wall reconstructive surgery,  
14 including but not limited to the use of breast implants, their side  
15 effects, risks, and other pertinent information to aid a person in  
16 deciding on a course of treatment. Chest wall reconstructive  
17 information shall include information on aesthetic flat closure as  
18 defined by the national cancer institute.

19 (2) Physicians licensed under chapter 18.71 RCW or osteopathic  
20 physicians licensed under chapter 18.57 RCW shall make the  
21 information prepared by the department available to their patients  
22 who they are treating for breast cancer.

23 NEW SECTION. **Sec. 3.** The following acts or parts of acts are  
24 each repealed:

25 (1) RCW 48.44.330 (Reconstructive breast surgery) and 1985 c 54 s  
26 7 & 1983 c 113 s 3;

27 (2) RCW 48.46.280 (Reconstructive breast surgery) and 1985 c 54 s  
28 8 & 1983 c 113 s 4;

29 (3) RCW 48.20.395 (Reconstructive breast surgery) and 1985 c 54 s  
30 5 & 1983 c 113 s 1; and

31 (4) RCW 48.21.230 (Reconstructive breast surgery) and 1985 c 54 s  
32 6 & 1983 c 113 s 2.

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