
SENATE BILL 6244

State of Washington

68th Legislature

2024 Regular Session

By Senator Rivers

1 AN ACT Relating to enacting the pain parity act; adding a new
2 section to chapter 43.70 RCW; adding a new section to chapter 74.09
3 RCW; and adding a new section to chapter 48.43 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.70
6 RCW to read as follows:

7 (1) The legislature finds that every competent adult has the
8 fundamental right of self-determination regarding decisions
9 pertaining to their own health, including the right to refuse an
10 opioid drug.

11 (2) The department shall develop and publish on its website an
12 educational pamphlet regarding the use of nonopioid alternatives for
13 the treatment of acute nonoperative, acute perioperative, subacute,
14 or chronic pain. The pamphlet shall, at a minimum, conform with the
15 most current clinical practice guidelines for prescribing opioids for
16 pain issued by the centers for disease control and prevention and
17 shall include:

18 (a) Information on available nonopioid alternatives for the
19 treatment of pain, including available nonopioid medicinal drugs or
20 drug products and nonpharmacological therapies; and

1 (b) The advantages and disadvantages of the use of nonopioid
2 alternatives.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09
4 RCW to read as follows:

5 (1) In establishing and maintaining the formulary and preferred
6 drug list, the authority shall ensure that no nonopioid drug approved
7 by the United States food and drug administration for the treatment
8 or management of pain shall be disadvantaged or discouraged with
9 respect to coverage relative to any opioid or narcotic drug for the
10 treatment or management of pain on such formulary and preferred drug
11 list, where impermissible disadvantaging or discouragement includes,
12 without limitation: Designating any such nonopioid drug as a
13 nonpreferred drug if any opioid or narcotic drug is designated as a
14 preferred drug; or establishing more restrictive or more extensive
15 utilization controls including, but not limited to, more restrictive
16 or more extensive prior authorization or step therapy requirements
17 for such nonopioid drug than the least restrictive or extensive
18 utilization controls applicable to any such opioid or narcotic drug.

19 (2) This section applies to a nonopioid drug immediately upon its
20 approval by the United States food and drug administration for the
21 treatment or management of pain, regardless of whether such drug has
22 been reviewed by the authority for inclusion on the formulary and
23 preferred drug list. This section also applies to drugs being
24 provided under a contract between the authority and any managed care
25 organization.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.43
27 RCW to read as follows:

28 (1) In establishing and maintaining its formulary, a commercial
29 insurer shall ensure that no nonopioid drug approved by the United
30 States food and drug administration for the treatment or management
31 of pain shall be disadvantaged or discouraged, with respect to
32 coverage or cost sharing, relative to any opioid or narcotic drug for
33 the treatment or management of pain on such formulary, where
34 impermissible disadvantaging or discouragement includes, without
35 limitation: Imposing more restrictive coverage criteria on any such
36 nonopioid drug than the least restrictive coverage criteria imposed
37 on an opioid or narcotic drug; establishing more restrictive or more
38 extensive utilization controls including, but not limited to, more

1 restrictive or more extensive prior authorization or step therapy
2 requirements, for such nonopioid drug than the least restrictive or
3 extensive utilization controls applicable to any such opioid or
4 narcotic drug; or, if such insurer maintains a formulary grouped into
5 tiers for the purposes of determining cost sharing, placing any such
6 nonopioid drug on a tier that requires a cost-sharing responsibility
7 that exceeds the lowest cost-sharing responsibility required for any
8 opioid or narcotic drug on such formulary.

9 (2) This section applies to a nonopioid drug immediately upon its
10 approval by the United States food and drug administration for the
11 treatment or management of pain.

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