

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5581**

Chapter 444, Laws of 2023

68th Legislature  
2023 Regular Session

MATERNITY CARE SERVICES—HEALTH PLAN COST SHARING—REPORT

EFFECTIVE DATE: July 23, 2023

Passed by the Senate April 18, 2023  
Yeas 48 Nays 0

DENNY HECK

**President of the Senate**

Passed by the House April 7, 2023  
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Approved May 11, 2023 10:12 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5581** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

**Secretary**

FILED

May 11, 2023

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5581**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Muzzall, Robinson, Braun, Rivers, Warnick, Cleveland, Hasegawa, Kuderer, Lovelett, Shewmake, C. Wilson, J. Wilson, and L. Wilson)

READ FIRST TIME 02/13/23.

1 AN ACT Relating to developing strategies to reduce or eliminate  
2 cost sharing for maternity care services and postpartum care; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The office of the insurance  
6 commissioner, in consultation with health carriers, health care  
7 providers, and consumers in this state, shall conduct an analysis of  
8 how health plans define, cover, and reimburse for maternity care  
9 services, including prenatal, delivery, and postpartum care, and make  
10 recommendations regarding methods to reduce or eliminate deductibles  
11 and other forms of cost sharing for maternity care services.

12 (2) In conducting the analysis, the office of the insurance  
13 commissioner shall:

14 (a) Obtain necessary information regarding health plans offered  
15 by carriers with more than one percent accident and health market  
16 share based upon the insurance commissioner's most recent annual  
17 market information report and health plans offered to public  
18 employees under chapter 41.05 RCW to evaluate:

19 (i) How health plan benefit designs define maternity care  
20 services;

- 1 (ii) Whether and to what extent maternity care services are  
2 subject to deductibles and other cost-sharing requirements;
- 3 (iii) Which maternity care services are considered preventive  
4 services under section 2713 of the federal public health service act  
5 (42 U.S.C. Sec. 300gg et seq.) and implementing federal regulations  
6 in effect on the effective date of this section and are therefore  
7 exempt from cost sharing;
- 8 (iv) The five most used maternity care reimbursement  
9 methodologies used by each carrier; and
- 10 (v) With respect to reimbursement methodologies that bundle  
11 payment for maternity care services, which specific services are  
12 included in the bundled payment;
- 13 (b) Estimate the total and per member per month impact on health  
14 plan rates of eliminating cost sharing for maternity care services in  
15 full, or for prenatal care only, for the following markets:
- 16 (i) Individual health plans other than cascade select plans;  
17 (ii) Cascade select health plans;  
18 (iii) Small group health plans;  
19 (iv) Large group health plans;  
20 (v) Health plans offered to public employees under chapter 41.05  
21 RCW; and  
22 (vi) All health plans in the aggregate.
- 23 (3) The office of the insurance commissioner shall submit a  
24 report on the findings and cost estimate to the appropriate  
25 committees of the legislature by July 1, 2024. The report must also  
26 include recommendations for methods to reduce or eliminate  
27 deductibles and other forms of cost sharing for maternity care  
28 services.
- 29 (4) The office of the insurance commissioner may contract for all  
30 or a portion of the analysis required in this section.

Passed by the Senate April 18, 2023.  
Passed by the House April 7, 2023.  
Approved by the Governor May 11, 2023.  
Filed in Office of Secretary of State May 11, 2023.

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