

# HOUSE BILL REPORT

## ESHB 1957

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As Amended by the Senate

**Title:** An act relating to the creation of the medical health coverage benefit determination committee.

**Brief Description:** Creating the medical health coverage benefit determination committee.

**Sponsors:** By House Committee on Health Care (originally sponsored by Representatives Dellwo, Wolfe, R. Meyers, Pruitt, L. Johnson, J. Kohl, Conway and Karahalios; by request of Insurance Commissioner.)

**Brief History:**

Reported by House Committee on:  
Health Care, March 2, 1993, DPS;  
Appropriations, March 6, 1993, DPS(HC-A APP);  
Passed House, March 11, 1993, 88-10;  
Amended by Senate.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Dellwo, Chair; L. Johnson, Vice Chair; Dyer, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Appelwick; Campbell; Conway; Cooke; Flemming; R. Johnson; Mastin; Mielke; Morris; Thibaudeau; and Veloria.

**Minority Report:** Do not pass. Signed by 1 member: Representative Lisk.

**Staff:** John Conniff (786-7119).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Health Care be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass. Signed by 24 members: Representatives Locke, Chair; Valle, Vice Chair; Silver, Ranking Minority Member; Carlson, Assistant Ranking Minority Member; Appelwick; Ballasiotes; Basich; Cooke; Dellwo; Dorn; Dunshee; G. Fisher; Jacobsen; Lemmon;

Linville; Peery; Rust; Sehlin; Sheahan; Sommers; Stevens; Talcott; Wang; and Wineberry.

**Staff:** John Conniff (786-7119); and Maureen Morris (786-7152).

**Background:** Health insurance companies, health care service contractors, and health maintenance organizations do not cover health care or treatment deemed experimental or investigative. However, often there is not agreement among insurers or health care providers as to whether care or treatment is experimental or investigative. As a result, some consumers obtain treatment that other consumers are unable to obtain.

**Summary of Bill:** The Medical Health Coverage Benefit Committee is created in the office of the Insurance Commissioner comprising seven members appointed by the commissioner on the basis of their knowledge and experience in health care services. The committee must consider, develop, and recommend criteria to guide future action of health care coverage providers in determining whether a procedure, treatment, drug, or other health care service is experimental, investigative, or efficacious for purposes of extending health care coverage.

Members of the committee serve four year terms, cannot serve in a similar capacity with a health care coverage provider, cannot be advocates for groups promoting the use of particular health care services or treatments, and must review health care issues without regard to individual disputes between consumers and health care coverage providers.

The chapter creating the committee expires on July 1, 1998.

**EFFECT OF SENATE AMENDMENT(S):** The power of the Health Coverage Advisory Committee is expanded to require the committee to consider actual cases of health insurer denial of claims that are deemed experimental or investigative procedures not covered by the insurance policy. Two separate provisions are added which make the creation and operation of the committee contingent upon passage of the health care reform bill. One provision transfers the powers and duties of the committee to the new Health Services Commission after the commission adopts necessary rules applicable to the functions of the committee. The other provision transfers the powers and duties of the committee to the Health Services Commission whether or not the commission adopts the necessary implementing rules.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Health Care) This bill will establish a clear process to determine what services are experimental and investigative.

(Appropriations) This bill addresses a serious problem of concern to many members of the public. The amendment offered by the Appropriations Committee will address many of the concerns expressed by the insurance industry. By terminating the statute by 1998, the legislation will not conflict with health reform.

**Testimony Against:** (Health Care) None.

(Appropriations) None.

**Witnesses:** (Health Care) Deborah Senn, Dr. Diana Berry, Porsha Moore, Jo Henderson, Richard Spoonmore and Sol Riffkin, Office of the Insurance Commissioner (pro); Cheryl Quackenbush, ADAMS; Symma Winston, Health Challenges; and Dr. Nancy Purcell, Washington State Medical Association (pro).

(Appropriations) Representative Dellwo (pro).

**VOTE ON FINAL PASSAGE:**

Yeas 88; Nays 10

Nays: Representatives Casada, Edmondson, Fuhrman, Lisk, Mielke, Morton, Padden, Sheahan, Stevens, Tate