
SUBSTITUTE SENATE BILL 6358

State of Washington

66th Legislature

2020 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Randall, Short, and Wilson, C.)

READ FIRST TIME 02/06/20.

1 AN ACT Relating to requiring medicaid managed care organizations
2 to provide reimbursement of health care services provided by
3 substitute providers; and adding a new section to chapter 74.09 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 74.09
6 RCW to read as follows:

7 (1) In order to protect patients and ensure that they benefit
8 from seamless quality care when contracted providers are absent from
9 their practices or when there is a temporary vacancy in a position
10 while a hospital, rural health clinic, or rural provider is
11 recruiting to meet patient demand, hospitals, rural health clinics,
12 and rural providers may use substitute providers to provide services.
13 Medicaid managed care organizations must allow for the use of
14 substitute providers and provide payment consistent with the
15 provisions in this section.

16 (2) Hospitals, rural health clinics, and rural providers that are
17 contracted with a medicaid managed care organization may use
18 substitute providers that are not contracted with a managed care
19 organization when:

1 (a) A contracted provider is absent for a limited period of time
2 due to vacation, illness, disability, continuing medical education,
3 or other short-term absence; or

4 (b) A contracted hospital, rural health clinic, or rural provider
5 is recruiting to fill an open position.

6 (3) For a substitute provider providing services under subsection
7 (2)(a) of this section, a contracted hospital, rural health clinic,
8 or rural provider may bill and receive payment for services at the
9 contracted rate under its contract with the managed care organization
10 for up to sixty days.

11 (4) To be eligible for reimbursement under this section for
12 services provided on behalf of a contracted provider for greater than
13 sixty days, a substitute provider must enroll in a medicaid managed
14 care organization. Enrollment of a substitute provider in a medicaid
15 managed care organization is effective on the later of:

16 (a) The date the substitute provider filed an enrollment
17 application that was subsequently approved; or

18 (b) The date the substitute provider first began providing
19 services at the hospital, rural health clinic, or rural provider.

20 (5) A substitute provider who enrolls with a medicaid managed
21 care organization may not bill under subsection (4) of this section
22 for any services billed to the medicaid managed care organization
23 pursuant to subsection (3) of this section.

24 (6) Nothing in this section obligates a managed care organization
25 to enroll any substitute provider who requests enrollment if they do
26 not meet the organizations enrollment criteria.

27 (7) For purposes of this section:

28 (a) "Circumstances precluded enrollment" means that the provider
29 has met all program requirements including state licensure during the
30 thirty-day period before an application was submitted and no final
31 adverse determination precluded enrollment. If a final adverse
32 determination precluded enrollment during this thirty-day period, the
33 contractor shall only establish an effective billing date the day
34 after the date that the final adverse action was resolved, as long as
35 it is not more than thirty days prior to the date on which the
36 application was submitted.

37 (b) "Contracted provider" means a provider who is contracted with
38 a medicaid managed care organization.

39 (c) "Hospital" means a facility licensed under chapter 70.41 or
40 71.12 RCW.

1 (d) "Rural health clinic" means a federally designated rural
2 health clinic.

3 (e) "Rural provider" means physicians licensed under chapter
4 18.71 RCW, osteopathic physicians and surgeons licensed under chapter
5 18.57 RCW, podiatric physicians and surgeons licensed under chapter
6 18.22 RCW, physician assistants licensed under chapter 18.71A RCW,
7 osteopathic physician assistants licensed under chapter 18.57A RCW,
8 and advanced registered nurse practitioners licensed under chapter
9 18.79 RCW, who are located in a rural county as defined in RCW
10 82.14.370.

11 (f) "Substitute provider" includes physicians licensed under
12 chapter 18.71 RCW, osteopathic physicians and surgeons licensed under
13 chapter 18.57 RCW, podiatric physicians and surgeons licensed under
14 chapter 18.22 RCW, physician assistants licensed under chapter 18.71A
15 RCW, osteopathic physician assistants licensed under chapter 18.57A
16 RCW, and advanced registered nurse practitioners licensed under
17 chapter 18.79 RCW.

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