

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 1099

Chapter 11, Laws of 2019

66th Legislature
2019 Regular Session

HEALTH CARRIER NETWORK ADEQUACY--MENTAL HEALTH AND SUBSTANCE ABUSE
TREATMENT

EFFECTIVE DATE: July 28, 2019

Passed by the House March 8, 2019
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 27, 2019
Yeas 45 Nays 0

CYRUS HABIB

President of the Senate

Approved April 3, 2019 3:10 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1099** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 4, 2019

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1099

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Jinkins, Cody, Tharinger, Robinson, and Reeves)

READ FIRST TIME 02/13/19.

1 AN ACT Relating to providing notice about network adequacy to
2 consumers; adding a new section to chapter 48.43 RCW; and creating a
3 new section.

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

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

7 (1) The commissioner shall amend his or her rules on electronic
8 provider directories to require health carriers to include a notation
9 when any mental health provider or substance abuse provider is closed
10 to new patients.

11 (2) Beginning January 1, 2020, a health carrier shall prominently
12 post the information listed in (a) through (e) of this subsection on
13 its web site in an easily understandable format and in a manner that
14 any interested party may obtain the information:

15 (a) Whether the health carrier classifies mental health treatment
16 and substance abuse treatment as primary care or specialty care and
17 the number of business days within which an enrollee must have access
18 to covered mental health treatment services and substance abuse
19 treatment services under network access standards pertaining to
20 primary care or specialty care, as applicable, adopted by the
21 commissioner;

1 (b) Information on actions an enrollee may take if he or she is
2 unable to access covered mental health treatment services or
3 substance abuse treatment services within the requisite number of
4 business days, including any tools or resources the carrier makes
5 available to enrollees to assist them in finding available providers
6 and information on how to file a complaint with the office of the
7 insurance commissioner;

8 (c) Any instances where the commissioner has taken disciplinary
9 action against the health carrier for failing to comply with network
10 access standards for covered mental health treatment services or
11 substance abuse treatment services;

12 (d) A link to the commissioner's report published under
13 subsection (5) of this section; and

14 (e) Resources for persons who are experiencing a mental health
15 crisis including, but not limited to, information on the national
16 suicide prevention lifeline.

17 (3) The commissioner shall, by rule, specify a model format for
18 the information required to be posted on a health carrier's web site
19 under subsection (2) of this section.

20 (4) The commissioner may audit the information a health carrier
21 provides under this section for accuracy.

22 (5) The commissioner shall annually publish on the commissioner's
23 web site a report on the number of consumer complaints per licensed
24 health carrier the commissioner received in the previous calendar
25 year regarding consumers who were not able to access covered mental
26 health treatment services or substance abuse treatment services
27 within the time limits established by the commissioner for primary
28 care or specialty care.

29 NEW SECTION. **Sec. 2.** This act may be known and cited as
30 Brennen's law.

Passed by the House March 8, 2019.
Passed by the Senate March 27, 2019.
Approved by the Governor April 3, 2019.
Filed in Office of Secretary of State April 4, 2019.

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