
SUBSTITUTE HOUSE BILL 1725

State of Washington

68th Legislature

2023 Regular Session

By House Health Care & Wellness (originally sponsored by Representatives Maycumber, Riccelli, Fosse, Doglio, Tharinger, Stonier, Barnard, Hutchins, Graham, Mosbrucker, Christian, Reeves, Walen, Gregerson, Ormsby, Reed, Schmidt, Pollet, Cheney, Shavers, Macri, and Leavitt)

1 AN ACT Relating to increased access to insulin for individuals
2 under the age of 21; adding a new section to chapter 70.14 RCW;
3 adding a new section to chapter 48.43 RCW; adding a new section to
4 chapter 41.05 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.14
7 RCW to read as follows:

8 (1) By January 1, 2025, the health care authority shall establish
9 a copayment offset program for insulin for individuals under the age
10 of 21. The health care authority shall develop a process to eliminate
11 out-of-pocket costs for insulin for enrollees under the age of 21 of
12 health plans offered by health carriers regulated under chapter 48.43
13 RCW and health plans offered to public employees under chapter 41.05
14 RCW. An enrollee of a health plan may not be responsible for any cost
15 sharing for insulin.

16 (2) Health carriers shall participate in the program and
17 enrollees may not be responsible for any cost sharing. The health
18 care authority shall reimburse a carrier for an enrollee's cost-
19 sharing obligation.

20 (3) In order to receive reimbursement, a carrier must provide the
21 health care authority with an end-of-calendar-year reconciliation for

1 any cost-sharing reductions owed to the carrier pursuant to this
2 section.

3 (4) The health care authority is authorized to:

4 (a) Bill, charge, and receive payment from health carriers; and

5 (b) Perform any other functions as may be necessary or proper to
6 establish and administer the program.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.43
8 RCW to read as follows:

9 (1) For health plans issued or renewed on or after January 1,
10 2024, health carriers shall participate in the copayment offset
11 program for insulin for individuals under the age of 21 established
12 in section 1 of this act once the program is operational.

13 (2) If the federal internal revenue service removes insulin from
14 the list of preventive care services which can be covered by a
15 qualifying health plan for a health savings account before the
16 deductible is satisfied, for a health plan that provides coverage for
17 prescription insulin drugs for the treatment of diabetes and is
18 offered as a qualifying health plan for a health savings account, the
19 carrier shall establish the plan's cost sharing for the coverage of
20 prescription insulin for diabetes at the minimum level necessary to
21 preserve the enrollee's ability to claim tax exempt contributions
22 from his or her health savings account under internal revenue service
23 laws and regulations. The office of the insurance commissioner shall
24 provide written notice of the change in internal revenue service
25 guidance to affected parties, the chief clerk of the house of
26 representatives, the secretary of the senate, the office of the code
27 reviser, and others as deemed appropriate by the office of the
28 insurance commissioner.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.05
30 RCW to read as follows:

31 (1) For health plans offered to employees and their covered
32 dependents under this chapter issued or renewed on or after January
33 1, 2024, health carriers shall participate in the copayment offset
34 program for insulin for individuals under the age of 21 established
35 in section 1 of this act once the program is operational.

36 (2) If the federal internal revenue service removes insulin from
37 the list of preventive care services which can be covered by a
38 qualifying health plan for a health savings account before the

1 deductible is satisfied, for a health plan that provides coverage for
2 prescription insulin drugs for the treatment of diabetes and is
3 offered as a qualifying health plan for a health savings account, the
4 carrier shall establish the plan's cost sharing for the coverage of
5 prescription insulin for diabetes at the minimum level necessary to
6 preserve the enrollee's ability to claim tax exempt contributions
7 from his or her health savings account under internal revenue service
8 laws and regulations. The office of the insurance commissioner shall
9 provide written notice of the change in internal revenue service
10 guidance to affected parties, the chief clerk of the house of
11 representatives, the secretary of the senate, the office of the code
12 reviser, and others as deemed appropriate by the office of the
13 insurance commissioner.

14 NEW SECTION. **Sec. 4.** The health care authority and the office
15 of the insurance commissioner may adopt rules necessary to implement
16 this act.

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