
SENATE BILL 5814

State of Washington

68th Legislature

2024 Regular Session

By Senator Muzzall

Prefiled 12/07/23.

1 AN ACT Relating to coverage of prescription drugs for advanced
2 metastatic cancer; adding a new section to chapter 48.43 RCW; adding
3 a new section to chapter 41.05 RCW; and adding a new section to
4 chapter 74.09 RCW.

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

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

8 (1) A health plan issued or renewed on or after January 1, 2025,
9 that provides coverage for advanced metastatic cancer and associated
10 conditions may not require, before the health carrier provides
11 coverage of a prescription drug for the treatment of advanced
12 metastatic cancer or an associated condition, that the enrollee:

13 (a) Fail to successfully respond to a different drug; or

14 (b) Prove a history of failure of a different drug.

15 (2) This section applies only to a drug the use of which is:

16 (a) Consistent with best practices for the treatment of advanced
17 metastatic cancer or an associated condition;

18 (b) Supported by peer-reviewed, evidence-based literature; and

19 (c) Approved by the United States food and drug administration.

20 (3) For purposes of this section:

1 (a) "Advanced metastatic cancer" means cancer that has spread
2 from the primary or original site of the cancer to nearby tissues,
3 lymph nodes, or other areas or parts of the body.

4 (b) "Associated condition" means the symptoms or side effects
5 associated with advanced metastatic cancer or its treatment and
6 which, in the judgment of the health care practitioner, further
7 jeopardizes the health of a patient if left untreated.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05
9 RCW to read as follows:

10 (1) A health plan offered to public employees and their covered
11 dependents under this chapter issued or renewed on or after January
12 1, 2025, that provides coverage for advanced metastatic cancer and
13 associated conditions may not require, before the health plan
14 provides coverage of a prescription drug for the treatment of
15 advanced metastatic cancer or an associated condition, that the
16 enrollee:

17 (a) Fail to successfully respond to a different drug; or

18 (b) Prove a history of failure of a different drug.

19 (2) This section applies only to a drug the use of which is:

20 (a) Consistent with best practices for the treatment of advanced
21 metastatic cancer or an associated condition;

22 (b) Supported by peer-reviewed, evidence-based literature; and

23 (c) Approved by the United States food and drug administration.

24 (3) For purposes of this section:

25 (a) "Advanced metastatic cancer" means cancer that has spread
26 from the primary or original site of the cancer to nearby tissues,
27 lymph nodes, or other areas or parts of the body.

28 (b) "Associated condition" means the symptoms or side effects
29 associated with advanced metastatic cancer or its treatment and
30 which, in the judgment of the health care practitioner, further
31 jeopardizes the health of a patient if left untreated.

32 NEW SECTION. **Sec. 3.** A new section is added to chapter 74.09
33 RCW to read as follows:

34 (1) Beginning January 1, 2025, a managed care organization and
35 the authority may not require, before the managed care organization
36 or the authority provides coverage of a prescription drug for the
37 treatment of advanced metastatic cancer or an associated condition,
38 that the enrollee:

1 (a) Fail to successfully respond to a different drug; or
2 (b) Prove a history of failure of a different drug.
3 (2) This section applies only to a drug the use of which is:
4 (a) Consistent with best practices for the treatment of advanced
5 metastatic cancer or an associated condition;
6 (b) Supported by peer-reviewed, evidence-based literature; and
7 (c) Approved by the United States food and drug administration.
8 (3) For purposes of this section:
9 (a) "Advanced metastatic cancer" means cancer that has spread
10 from the primary or original site of the cancer to nearby tissues,
11 lymph nodes, or other areas or parts of the body.
12 (b) "Associated condition" means the symptoms or side effects
13 associated with advanced metastatic cancer or its treatment and
14 which, in the judgment of the health care practitioner, further
15 jeopardizes the health of a patient if left untreated.

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