

SENATE BILL REPORT

SB 5624

As of February 14, 2007

Title: An act relating to prohibiting discrimination against licensed health care providers.

Brief Description: Prohibiting discrimination against licensed health care providers.

Sponsors: Senators Kastama, Tom, Fairley, Pflug, Carrell and Kohl-Welles.

Brief History:

Committee Activity: Health & Long-Term Care: 2/12/07.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Mich'l Needham (786-7442)

Background: Unfair insurance practices are generally outlined in insurance law and further defined by the insurance commissioner in rule. The commissioner has authority to review unfair or deceptive insurance practices and take necessary action.

Since 1973, Washington State law governing optometry has required that health care service contracts with licensed optometrists must allow subscribers to utilize any participating optometrists on an equal participation basis, and that such contracts must not be discriminatory.

Summary of Bill: The laws outlining unfair insurance practices and fraud are expanded to require a person or entity engaged in insurance business in Washington not to unfairly discriminate against optometrists.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: Optometrists and in-state insurance carriers have resolved the issue but issues remain with out-of-state carriers. New third party payers are coming into the state to offer new Medicare Advantage plans. Patients need medical care in a timely way and this assists them, while avoiding harsh statutory requirements.

CON: This creates a defacto "any willing provider requirement," and creates a special class of provider. The language on "unfair" discrimination is too vague.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Persons Testifying: PRO: Senator Kastama, prime sponsor; Brad Tower, Optometric Physicians of Washington; Dr. Chris Barry, Optometric Physicians of Washington; Dr. Ken White, Optometric Physicians of Washington.

CON: Sydney Zvara, Association of Washington Health Care Plans; Ken Bertrand, Group Health; Mel Sorenson, Americas Health Insurance Plans; Nancee Wildermuth, Regence, Aetna, and PacifiCare.