

# SENATE BILL REPORT

## SB 6421

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As Amended by House, March 5, 2008

**Title:** An act relating to providing medical coverage for smoking cessation programs.

**Brief Description:** Providing medical coverage for smoking cessation programs.

**Sponsors:** Senators Pridemore, Keiser, McDermott, Hatfield, Kohl-Welles and Pflug.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/28/08, 1/30/08 [DP-WM].

Ways & Means: 2/11/08, 2/12/08 [DP].

Passed Senate: 2/15/08, 49-0.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Parlette.

**Staff:** Mich'l Needham (786-7442)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Brandland, Hatfield, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Parlette, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Tom.

**Staff:** Elaine Deschamps (786-7441)

**Background:** A recent study indicates the nation's Medicaid program could experience significant savings if the program included an effective smoking prevention and cessation program. Smoking remains the country's leading preventable cause of death. New data released by the U.S. Centers for Disease Control and Prevention (CDC) showed that smoking rates are no longer on the decline, and 45.3 million adults reported smoking in 2006. The CDC estimates that 20.8 percent of the adults in the U.S. smoked in 2006, and of these adults, 80.1 percent smoked every day.

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*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.*

The Washington State Medical Assistance Program provides a smoking cessation benefit for pregnant women to improve birth outcomes. The smoking cessation benefit includes access to counseling, over-the-counter nicotine replacement therapy, and prescription drugs.

**Summary of Bill:** The Department of Social and Health Services (department) must provide a smoking cessation benefit to all adults enrolled in a Health and Recovery Services Administration medical program. The program must include smoking cessation counseling services, as well as prescription and nonprescription products. The department may implement coverage limitations as required to discourage waste or to address fraud or abuse.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony (Health & Long-Term Care):** PRO: It is important to help people stop smoking, and it is important to provide a multi-faceted approach that includes many supports. The products that assist people have improved dramatically over the years and there is a much higher success rate with them now. This bill will help promote health, save lives and save money in the long run. It is the number one legislative priority of Seattle-King County to help the low-income population stop smoking. The low-income population is overlooked for this important effort. We have effective strategies available and we should use them to help people now. Many states already offer this benefit – Washington is at the back of the pack in tackling this.

**Persons Testifying (Health & Long-Term Care):** PRO: Senator Pridemore, prime sponsor; Nick Federici, American Lung Association, American Cancer Society, American Heart Association; Paul Zemann, Public Health Seattle King County; D. Yoshe Revelle, citizen; Dr. Tim McAfee, Free and Clear, University of Washington; Rosalund Jenkins, Rosalund Jenkins, citizen.

**Staff Summary of Public Testimony (Ways & Means):** PRO: The state spends millions every year treating smoking-related illnesses. Thirty nine percent of the Medicaid population are smokers, and smoking cessation will save lives and public funds.

**Persons Testifying (Ways & Means):** PRO: Senator Craig Pridemore, prime sponsor; Nick Federici, American Lung Association; Paul Zeman, Public Health Seattle-King County.

**House Amendment(s):** Adds language allowing the department to adopt rules regarding appropriate coverage limitations as necessary to encourage the use of effective, evidence-based services. The department must track per-capita expenditures for a cohort of clients that receive smoking cessation benefits, and submit a cost-benefit analysis to the Legislature by January 1, 2012. Adds a null and void clause.