

**HB 1044** - H AMD 13

By Representative Cody

**NOT CONSIDERED**

1 On page 2, beginning on line 32, after "(6)" strike all material  
2 through "70.47.160" on line 33 and insert "The legislature recognizes  
3 that every individual possesses a fundamental right to exercise their  
4 religious beliefs and conscience. The legislature further recognizes  
5 that in developing public policy, conflicting religious and moral  
6 beliefs must be respected. Therefore, while recognizing the right of  
7 conscientious objection to participating in specific health services,  
8 the state shall also recognize the right of individuals enrolled with  
9 plans containing the basic health plan services to receive the full  
10 range of services covered under the plan.

11 (7)(a) No individual health care provider, religiously sponsored  
12 health carrier, or health care facility may be required by law or  
13 contract in any circumstances to participate in the provision of or  
14 payment for a specific service if they object to so doing for reason  
15 of conscience or religion. No person may be discriminated against in  
16 employment or professional privileges because of such objection.

17 (b) The provisions of subsections (6) through (9) of this section  
18 are not intended to result in an enrollee being denied timely access  
19 to any service included in the basic health plan services. Each  
20 health carrier shall:

21 (i) Provide written notice to enrollees, upon enrollment with the  
22 plan, listing services that the carrier refuses to cover for reason of  
23 conscience or religion;

24 (ii) Provide written information describing how an enrollee may  
25 directly access services in an expeditious manner; and

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1 (iii) Ensure that enrollees refused services under this section  
2 have prompt access to the information developed pursuant to (b)(ii) of  
3 this subsection.

4 (c) The insurance commissioner shall establish by rule a mechanism  
5 or mechanisms to recognize the right to exercise conscience while  
6 ensuring enrollees timely access to services and to assure prompt  
7 payment to service providers.

8 (8)(a) No individual or organization with a religious or moral  
9 tenet opposed to a specific service may be required to purchase  
10 coverage for that service or services if they object to doing so for  
11 reason of conscience or religion.

12 (b) The provisions of subsections (6) through (9) of this section  
13 shall not result in an enrollee being denied coverage of, and timely  
14 access to, any service or services excluded from their benefits  
15 package as a result of their employer's or another individual's  
16 exercise of the conscience clause in (a) of this subsection.

17 (c) The insurance commissioner shall define by rule the process  
18 through which health carriers may offer the basic health plan services  
19 to individuals and organizations identified in (a) and (b) of this  
20 subsection in accordance with the provisions of subsection (7)(c) of  
21 this section.

22 (9) Nothing in subsections (6) through (8) of this section  
23 requires a health carrier, health care facility, or health care  
24 provider to provide any health care services without appropriate  
25 payment of premium or fee"

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EFFECT: Removes language stating that the act does not affect  
the statutory right of conscience in RCW 48.43.065 or 70.47.160.  
Instead, states that:

- The intent of the Legislature is to recognize that every individual possesses a fundamental right to exercise his or her religious beliefs and conscience and that conflicting religious and moral beliefs must be respected in developing policy;
- No individual health care provider, religiously sponsored health carrier, or health care facility may be required by law or contract in any circumstances to participate in the provision

of or payment for a specific service if they object to so doing for reason of conscience or religion;

- No person may be discriminated against in employment or professional privileges because of such objection; and
- No individual or organization with a religious or moral tenet opposed to a specific service may be required to purchase coverage for that service or services if they object to doing so for reason of conscience or religion;
- The state must recognize the right of individuals to receive the full range of services under the state's Basic Health Plan;
- The provisions allowing the exercise of conscientious objection are not intended to result in an enrollee being denied timely access to any services included in the state's Basic Health Plan;
- Health carriers must:
  - o Provide enrollees written notice of the services the carrier refuses to cover for reason of conscience or religion;
  - o Provide written information describing how an enrollee may directly access services in an expeditious manner; and
  - o Ensure that enrollees who are refused services have prompt access to information describing how they may directly access services in an expeditious manner; and
- The Office of the Insurance Commissioner must establish a mechanism to recognize the right of conscience while ensuring enrollees timely access to services and to ensure prompt payment to serviced providers.

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