

SENATE BILL REPORT

ESHB 1957

AS REPORTED BY COMMITTEE ON HEALTH & HUMAN SERVICES,
APRIL 2, 1993

Brief Description: Creating the Washington health care coverage determination board.

SPONSORS: House Committee on Health Care (originally sponsored by Representatives Dellwo, Wolfe, R. Meyers, Pruitt, L. Johnson, J. Kohl, Conway and Karahalios; by request of Insurance Commissioner)

HOUSE COMMITTEE ON HEALTH CARE

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Majority Report: Do pass as amended.

Signed by Senators Talmadge, Chairman; Wojahn, Vice Chairman; Franklin, Fraser, McAuliffe, McDonald, Moyer, Niemi, Prentice, and Sheldon.

Staff: Shannon Murphy (786-7483)

Hearing Dates: March 26, 1993; April 2, 1993

BACKGROUND:

Health insurance companies, health care service contractors, and health maintenance organizations do not cover health care or treatment deemed experimental or investigative. However, often there is not agreement among insurers or health care providers as to whether care or treatment is experimental or investigative. As a result, some consumers obtain treatment that other consumers are unable to obtain.

SUMMARY:

The Medical Health Coverage Benefit Determination Committee is created in the office of the Insurance Commissioner. The board shall be comprised of seven members appointed by the Insurance Commissioner. The board members will be appointed based on knowledge and experience in health care services. Board members shall be appointed for a four-year term. Members of the committee may be removed only for reasons of inefficiency, malfeasance, or misfeasance. Members will serve part-time and will receive reimbursement for travel expenses.

In making recommendations regarding if a procedure, treatment, drug or other health care service is experimental or investigative the committee shall take into account findings, studies and research conducted at qualified research centers in this country. The committee shall also take into

consideration the potential benefit to the public. After consideration of the facts the committee is required to make a written recommendation to the Insurance Commissioner detailing its findings and conclusions. The commissioner is required to publish at least once a year a summary of the committee's determinations.

The committee will sunset on July 1, 1998.

SUMMARY OF PROPOSED SENATE AMENDMENT:

The number of members on the medical health coverage benefit determination committee is enlarged from seven to nine members. One of the additional members is required to represent consumers, the other is required to represent insurers of health insurance coverage.

The duties of the committee are expanded. The committee is responsible for considering, developing and recommending criteria to guide issuers of health care coverage in determining if a procedure, treatment, drug or other health care service is no longer experimental or investigational in order to receive insurance coverage. The committee is also responsible for considering and deciding whether a procedure, treatment or drug is no longer experimental or investigational. Additionally, the committee is to consider actual specific denials of health coverage when a procedure is considered experimental or investigational.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This bill arose from a consumer problem involving actual life and death situations. Many people pay health insurance premiums for many years and then find out when they become sick that their insurance policies do not cover experimental procedures. This bill brings equity, fairness and consistency into the decision of whether or not a procedure is experimental. This bill does not mandate that a particular experimental procedure should be covered. This bill takes care of an interim problem until a comprehensive state health care policy is in place.

TESTIMONY AGAINST:

The bill as revised is a compromise. The revision eliminates the consumer seat on the board. This is no longer a consumer bill. Additionally, the bill fails to change current situations regarding who should cover investigational research costs.

TESTIFIED: Deborah Senn, Insurance Commissioner (pro); Jo Henderson, consumer (con); Dr. Robert Day, Fred Hutchinson

(pro); Carol Monahan, Partners in Change (con); Dr. Stan Pomarantz, Partners in Change (con)