

2 **SB 6129** - H COMM AMD **ADOPTED 2-28-96**
3 By Committee on Health Care

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5 Strike everything after the enacting clause and insert the
6 following:

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

9 (1) For purposes of this section:

10 (a) "Health carrier" includes disability insurers regulated under
11 chapter 48.20 or 48.21 RCW, health care services contractors regulated
12 under chapter 48.44 RCW, plans operating under the health care
13 authority under chapter 41.05 RCW, the basic health plan operating
14 under chapter 70.47 RCW, the state health insurance pool operating
15 under chapter 48.41 RCW, insuring entities regulated under this
16 chapter, and health maintenance organizations regulated under chapter
17 48.46 RCW.

18 (b) "Intermediary" means a person duly authorized to negotiate and
19 execute provider contracts with health carriers on behalf of mental
20 health care practitioners.

21 (c) Consistent with their lawful scopes of practice, "mental health
22 care practitioners" includes only the following: Any generally
23 recognized medical specialty of practitioners licensed under chapter
24 18.57 or 18.71 RCW who provide mental health services, advanced
25 practice psychiatric nurses as authorized by the nursing care quality
26 assurance commission under chapter 18.79 RCW, psychologists licensed
27 under chapter 18.83 RCW, social workers, marriage and family
28 therapists, and mental health counselors certified under chapter 18.19
29 RCW.

30 (d) "Mental health services" means outpatient services.

31 (2) Consistent with federal and state law and rule, no contract
32 between a mental health care practitioner and an intermediary or
33 between a mental health care practitioner and a health carrier that is
34 written, amended, or renewed after the effective date of this section
35 may contain a provision prohibiting a practitioner and an enrollee from

1 agreeing to contract for services solely at the expense of the enrollee
2 as follows:

3 (a) On the exhaustion of the enrollee's mental health care
4 coverage;

5 (b) During an appeal or an adverse certification process;

6 (c) When an enrollee's condition is excluded from coverage; or

7 (d) For any other clinically appropriate reason at any time.

8 (3) If a mental health care practitioner provides services to an
9 enrollee during an appeal or adverse certification process, the
10 practitioner must provide to the enrollee written notification that the
11 enrollee is responsible for payment of these services, unless the
12 health carrier elects to pay for services provided.

13 (4) This section does not apply to a mental health care
14 practitioner who is employed full time on the staff of a health
15 carrier."

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19 On page 1, line 1 of the title, after "services;" strike the
20 remainder of the title and insert "and adding a new section to chapter
21 48.43 RCW."

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