

2 SB 6034 - S AMD 043  
3 By Senator Moyer

4 ADOPTED W/IN SCOPE - 3/7/95

5 On page 1, after line 4, insert the following:

6 "Sec. 1. RCW 43.72.810 and 1993 c 492 s 474 are each amended to  
7 read as follows:

8 (1) The commission shall determine the state and federal laws that  
9 would need to be repealed, amended, or waived to implement chapter 492,  
10 Laws of 1993, and report its recommendations, with proposed revisions  
11 to the Revised Code of Washington, to the governor, and appropriate  
12 committees of the legislature by July 1, 1994.

13 (2) The governor, in consultation with the commission, shall take  
14 the following steps in an effort to receive waivers or exemptions from  
15 federal statutes necessary to fully implement chapter 492, Laws of 1993  
16 to include, but not be limited to:

17 (a) Negotiate with the United States congress and the federal  
18 department of health and human services, health care financing  
19 administration to obtain a statutory or regulatory waiver of provisions  
20 of the medical assistance statute, Title XIX of the federal social  
21 security act that currently constitute barriers to full implementation  
22 of provisions of chapter 492, Laws of 1993 related to access to health  
23 services for low-income residents of Washington state. Such waivers  
24 shall include any waiver needed to require that: (i) Medical  
25 assistance recipients enroll in managed care systems, as defined in  
26 chapter 492, Laws of 1993; and (ii) enrollee point of service, cost-  
27 sharing levels adopted pursuant to RCW 43.72.130 be applied to medical  
28 assistance recipients. In negotiating the waiver, consideration shall  
29 be given to the degree to which supplemental benefits should be offered  
30 to medicaid recipients, if at all. Waived provisions may include and  
31 are not limited to: Categorical eligibility restrictions related to  
32 age, disability, blindness, or family structure; income and resource  
33 limitations tied to financial eligibility requirements of the federal  
34 aid to families with dependent children and supplemental security  
35 income programs; administrative requirements regarding single state  
36 agencies, choice of providers, and fee for service reimbursement; and

1 other limitations on health services provider payment methods.

2 (b) Negotiate with the United States congress and the federal  
3 department of health and human services, health care financing  
4 administration to obtain a statutory or regulatory waiver of provisions  
5 of the medicare statute, Title XVIII of the federal social security act  
6 that currently constitute barriers to full implementation of provisions  
7 of chapter 492, Laws of 1993 related to access to health services for  
8 elderly and disabled residents of Washington state. Such waivers shall  
9 include any waivers needed to implement managed care programs. Waived  
10 provisions include and are not limited to: Beneficiary cost-sharing  
11 requirements; restrictions on scope of services; and limitations on  
12 health services provider payment methods.

13 (c) Negotiate with the United States congress and the federal  
14 department of health and human services to obtain any statutory or  
15 regulatory waivers of provisions of the United States public health  
16 services act necessary to ensure integration of federally funded  
17 community and migrant health clinics and other health services funded  
18 through the public health services act into the health services system  
19 established pursuant to chapter 492, Laws of 1993. The commission  
20 shall request in the waiver that funds from these sources continue to  
21 be allocated to federally funded community and migrant health clinics  
22 to the extent that such clinics' patients are not yet enrolled in  
23 certified health plans.

24 ~~(d) ((Negotiate with the United States congress to obtain a~~  
25 ~~statutory exemption from provisions of the employee retirement income~~  
26 ~~security act that limit the state's ability to ensure that all~~  
27 ~~employees and their dependents in the state comply with the requirement~~  
28 ~~to enroll in certified health plans, and have their employers~~  
29 ~~participate in financing their enrollment in such plans.~~

30 (e)) Request that the United States congress amend the internal  
31 revenue code to treat employee premium contributions to plans, such as  
32 the basic health plan or the uniform benefits package offered through  
33 a certified health plan, as fully deductible from adjusted gross  
34 income.

35 (3) On or before December 1, 1995, the commission shall report the  
36 following to the appropriate committees of the legislature:

37 (a) The status of its efforts to obtain the waivers provided in  
38 subsection (2) of this section;

39 (b) If all federal statutory or regulatory waivers necessary to

1 fully implement chapter 492, Laws of 1993 have not been obtained:  
2 (i) The extent to which chapter 492, Laws of 1993 can be  
3 implemented without receipt of all of such waivers; and  
4 (ii) Changes in chapter 492, Laws of 1993 necessary to implement a  
5 residency-based health services system using one or a limited number of  
6 sponsors, or an alternative system that will ensure access to care and  
7 control health services costs."

8 Renumber the remaining sections consecutively and correct internal  
9 references accordingly.

10 **SB 6034** - S AMD  
11 By Senator Moyer

12 ADOPTED - 3/7/95

13 On page 1, line 2 of the title, after "employers;" insert "amending  
14 RCW 43.72.810;"

15 EFFECT: ERISA waivers.

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