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HOUSE BILL 2154

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Wood, Conway, Anderson, Tom, Ericksen and McCoy

Read first time 02/27/2003. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to criteria for coverage of spinal cord stimulators  
2 and drug infusion pumps by the department of labor and industries;  
3 adding new sections to chapter 51.36 RCW; creating new sections; and  
4 declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that:

7 (1) Spinal cord stimulators and drug infusion pumps are effective  
8 sources of pain relief for patients with chronic pain conditions and  
9 are covered by forty-nine of fifty state industrial insurance programs  
10 as well as medicare, medicaid, and all major private insurers in the  
11 state of Washington. Many Washington self-insurers cover the machines  
12 under their industrial insurance as well.

13 (2) Patients cannot be expected to return to a productive life or  
14 carry out the activities of daily living if they are in severe chronic  
15 pain. Pain control is an essential feature of any muscular-skeletal  
16 rehabilitation regimen. Spinal cord stimulators and drug infusion  
17 pumps are often preferable to the administration of oral narcotics  
18 because they dramatically reduce the adverse side effects of narcotics.

1 (3) Recent advances in medical technology have substantially  
2 improved the life and performance of the implanted devices.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 51.36 RCW  
4 to read as follows:

5 The definitions in this section apply throughout this chapter  
6 unless the context clearly requires otherwise.

7 (1) "Spinal cord stimulator" means a device that delivers low  
8 voltage electrical stimulation to the spinal cord to block the  
9 sensation of pain. The device is implantable and consists of a lead  
10 that delivers the stimulation to the spinal cord and an extension wire  
11 that conducts electrical pulses from the battery power source to the  
12 lead. The device covers or masks the sensation of pain with a tingling  
13 sensation.

14 (2) "Drug infusion pump" means a drug delivery device designed to  
15 deliver morphine and other medications to the intrathecal space of the  
16 spinal cord in order to reduce pain. The system consists of an  
17 implantable, programmable pump and intraspinal catheter. The catheter  
18 is placed in the spinal cord's intrathecal space, allowing the delivery  
19 of small amounts of pain reduction medication directly to the  
20 cerebrospinal fluid.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 51.36 RCW  
22 to read as follows:

23 The health services available to an injured worker under this  
24 chapter include the use of spinal cord stimulators and drug infusion  
25 pumps at least in accordance with relevant standards adopted by  
26 national payors and most state industrial insurance programs. The  
27 devices shall be deemed corrective and rehabilitative as well as  
28 necessary and proper. Nothing in this section prevents the department  
29 from making informed decisions about the appropriateness of the device  
30 in a specific case in accordance with the standards referred to in this  
31 section or more permissive guidelines.

32 NEW SECTION. **Sec. 4.** This act shall be liberally construed in  
33 order to provide coverage by the department of labor and industries  
34 except in inappropriate individual cases.

1        NEW SECTION.   **Sec. 5.**   This act is necessary for the immediate  
2   preservation of the public peace, health, or safety, or support of the  
3   state government and its existing public institutions, and takes effect  
4   immediately.

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