

2SSB 5597 - H AMD 574

By Representative Cody

ADOPTED 04/06/2007

1 Strike everything after the enacting clause and insert the
2 following:

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

5 (1) A health carrier must reimburse a chiropractor who has signed
6 a participating provider agreement for services determined by the
7 carrier to be medically necessary if:

8 (a) The service is:

9 (i) Covered chiropractic health care, as defined in RCW 48.43.515,
10 by the health plan under which the enrollee received the services; and

11 (ii) Provided by the chiropractor, or the chiropractor's employee
12 specified in RCW 18.25.190 (2) or (3) who works in the same location as
13 the chiropractor and to whom the chiropractor, pursuant to rules
14 adopted by the Washington state chiropractic quality assurance
15 commission, has delegated the service. The employee must meet the
16 health carrier's reasonable qualifications for all such providers in
17 the relevant class, including but not limited to standards for
18 education and background checks, as applicable; and

19 (b) The chiropractor complies with the terms and conditions of the
20 participating provider agreement. Violations of the participating
21 provider agreement by an employee of the chiropractor to whom he or she
22 has delegated a service may be deemed by the carrier to have been
23 committed by the chiropractor.

24 (2) If a health carrier offers a participating provider agreement
25 to a chiropractor within a single practice organized as a sole
26 proprietorship, partnership, or corporation, the carrier must offer the
27 same participating provider agreement to any other chiropractor within
28 that practice providing services at the same location. The agreement
29 may allow either party to terminate it without cause.

1 **Sec. 2.** RCW 41.05.017 and 2000 c 5 s 20 are each amended to read
2 as follows:

3 Each health plan that provides medical insurance offered under this
4 chapter, including plans created by insuring entities, plans not
5 subject to the provisions of Title 48 RCW, and plans created under RCW
6 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045,
7 48.43.505 through 48.43.535, 43.70.235, 48.43.545, 48.43.550,
8 70.02.110, (~~and~~) 70.02.900, and section 1 of this act.

9 NEW SECTION. **Sec. 3.** This act does not affect any existing right
10 acquired or liability or obligation incurred prior to the effective
11 date of this act.

12 NEW SECTION. **Sec. 4.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2008."

17 Correct the title.

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