
**Health Care & Wellness
Committee**

2SSB 5597

Brief Description: Concerning contracts with chiropractors.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Benton, Zarelli, Kauffman, Kline, Carrell, Poulsen, Keiser, Kohl-Welles, Delvin and Roach).

Brief Summary of Second Substitute Bill

- Prohibits health carriers from refusing to reimburse health care services provided by a contracted chiropractor's employees working at the same location as the contracted chiropractor.

Hearing Date: 3/15/07

Staff: Chris Cordes (786-7103).

Background:

Washington law requires health plans, whether fee-for-service or managed care, to include every category of health care provider to provide services for conditions that are included in the Basic Health Plan services, as long as the service provided is within the provider's scope of practice. Enrollees in health plans must have an adequate choice among providers and, under Insurance Commissioner (Commissioner) rules, a health plan network must have sufficient numbers of providers and facilities to make services accessible to covered persons without unreasonable delay. A carrier is not, however, required to contract with any particular provider.

Under rules of the Washington State Chiropractic Quality Assurance Commission, a chiropractor may delegate certain services to auxiliary staff and senior students or postgraduate trainees. These services must be performed under the direct supervision and control of the licensed chiropractor. Supervision means that the licensed chiropractor is on the premises and immediately available and has examined the patient prior to delegating the duties. Delegated services include:

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- to senior students: detection of subluxation, exposure and analysis of radiographs, determining whether chiropractic care is necessary, and making orthopedic or neurological examinations;
- to postgraduate trainees: the same services as are delegated to senior students, but trainees may also adjust or manipulate the articulations of the body; and
- to auxiliary staff: patient history and intake, certain range of motion measures, and oversight of patients during certain procedures, rehabilitation exercises, or use of therapeutic equipment, but these staff may not be delegated any of the services allowed for postgraduate trainees or senior students.

Summary of Bill:

Health carriers may not refuse to reimburse the health care services provided by a contracted chiropractor's employees who are working at the same location as the contracted chiropractor. The service must be legally provided by the employee and be for a reimbursable benefit. Health carriers may not prohibit the chiropractor from delegating duties as permitted by rule.

Health carriers may not require a chiropractor to comply with health care delivery standards that conflict with standards authorized by the Washington State Chiropractic Quality Assurance Commission. However, health carriers may require all contracted health care providers to participate in quality assurance programs that rely on evidence-based health care delivery standards.

Contract terms that attempt to waive or modify these provisions are invalid.

These provisions apply to disability insurers, health care service contractors, and health maintenance organizations. Provider contracts executed or renewed on or after January 1, 2008, must conform to these provisions.

Appropriation: None.

Fiscal Note: Requested on March 8, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.