

SENATE BILL REPORT

ESSB 6644

As Passed Senate, February 15, 2008

Title: An act relating to primary medical eye care.

Brief Description: Establishing requirements for primary medical eye care.

Sponsors: Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Franklin, Kastama, Fairley, Marr, Delvin, Kohl-Welles, Brandland, Schoesler and Rasmussen).

Brief History:

Committee Activity: Health & Long-Term Care: 1/30/08, 2/07/08 [DPS, w/oRec].
Passed Senate: 2/15/08, 46-3.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6644 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Fairley, Kastama, Kohl-Welles and Marr.

Minority Report: That it be referred without recommendation.

Signed by Senator Carrell.

Staff: Mich'l Needham (786-7442)

Background: Many insurance carriers offer health plans that require medical care to be coordinated by a primary care physician, including referrals for specialty services. Some patients have encountered concerns with referrals for specialty eye care services and the associated insurance payment and patient cost-sharing, when such referrals have been made by eye care professionals rather than primary care providers.

Summary of Engrossed Substitute Bill: A definition of "primary medical eye care" and "primary medical eye care provider" are created in Title 48 (insurance statutes) to include all health care services within the optometry scope of practice, when provided by optometrists, osteopathic providers, and physicians.

Beginning January 1, 2009, all insurance carriers offering health benefit plans with primary medical eye care must provide enrollees a complete list of all contracted primary medical eye care providers, including those available through subcontracts. All contracted providers on the health benefit plan must be available to enrollees, subject to service area requirements of

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the plan. Enrollees must be allowed to access any contracted provider on their health benefit plan in the same way they can access the primary care providers. Referrals for specialty eye care made by any contracted or subcontracted eye care provider must be deemed equivalent to a referral by a primary care provider for all purposes, including enrollee cost-sharing.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: Vision care is generally included in the medical coverage and many insurance contracts require patients to get referrals for specialty eye care from their medical primary care provider, adding out-of-pocket expense and delaying care. It will be more efficient for consumers to access their eye care provider of choice and receive a referral from that provider if necessary. Any delay in getting through a gatekeeper may damage one's vision.

CON: This bill runs counter to the model for the primary care medical home coordinating all the care for a patient. We disagree that this is a cost-saver and believe it may inappropriately steer people to more expensive care. Communication is the key to ensuring the referrals happen in a timely way to avoid any health risks for patients.

OTHER: We are not clear what the real problem is, nor are we clear if this is an attempt to move the 'every category of provider' requirement to an 'any willing provider' requirement. Some insurance plans are designed with a gatekeeper, primary care manager, and consumers have a choice of plans or products that don't have those requirements if they don't like using that model. This bill doesn't allow those models of care to continue to work as efficiently.

Persons Testifying: PRO: Brad Tower, Dr. Ken White, Optometric Physicians of Washington.

CON: Carl Nelson, Susie Tracy, Washington State Medical Association, Washington Academy of Eye Physicians and Surgeons; Dr. Aaron Weingeist, Washington Academy of Eye Physicians and Surgeons.

OTHER: Nancee Wildermuth, Regence Blue Shield, PacifiCare, Aetna.