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HOUSE BILL 1308

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State of Washington

61st Legislature

2009 Regular Session

**By** Representatives Driscoll, Hinkle, Cody, Sells, Wood, Morrell, Kelley, Clibborn, Moeller, Pedersen, Hudgins, Ormsby, Parker, Chase, Kenney, Goodman, Bailey, Simpson, Herrera, and Nelson; by request of Insurance Commissioner

Read first time 01/19/09. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to reducing organ transplant benefit waiting  
2 periods based upon prior creditable coverage; adding a new section to  
3 chapter 48.43 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
6 reduce organ transplant benefit waiting periods for covered persons who  
7 have had prior continuous coverage and have changed health carriers or  
8 health benefit plans.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.43 RCW  
10 to read as follows:

11 (1) For each health benefit plan that is issued or renewed on or  
12 after January 1, 2010, a health carrier shall reduce any organ  
13 transplant benefit waiting period by the amount of time a covered  
14 person had prior creditable coverage. Benefits provided are subject to  
15 all other terms and conditions of the health benefit plan, including  
16 but not limited to any applicable coinsurances, deductibles, and  
17 copayments.

18 (2) The following definitions apply to this section:

1 (a) "Covered person" means the same as set forth in RCW  
2 48.43.005(8).

3 (b) "Creditable coverage" means the same as set forth in section  
4 2701 of the federal health insurance portability and accountability act  
5 of 1996 (42 U.S.C. Sec. 300gg) and also includes coverage which  
6 terminated during the period beginning ninety days and ending sixty-  
7 four days before the date of application for the new plan if that  
8 coverage would otherwise have qualified as creditable coverage under  
9 the federal act (42 U.S.C. Sec. 300gg).

10 (c) "Organ transplant" means the same as defined under the  
11 applicable health benefit plan.

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