

SENATE BILL REPORT

ESSB 5145

As Passed Senate, January 27, 2016

Title: An act relating to the membership of the health technology clinical committee.

Brief Description: Concerning the health technology clinical committee membership and rotating experts.

Sponsors: Senate Committee on Health Care (originally sponsored by Senators Dammeier, Frockt, Becker, Bailey, Rivers and Brown).

Brief History:

Committee Activity: Health Care: 1/27/15, 2/09/15 [DPS].

Passed Senate: 3/03/15, 49-0; 1/27/16, 48-0.

SENATE COMMITTEE ON HEALTH CARE

Majority Report: That Substitute Senate Bill No. 5145 be substituted therefor, and the substitute bill do pass.

Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel, Bailey, Brown, Conway, Frockt, Jayapal, Keiser, Parlette and Rivers.

Staff: Evan Klein (786-7483)

Background: The Washington State Health Technology Clinical Committee (HTCC) was established in 2006 to include 11 members appointed by the administrator of the Washington State Health Care Authority (HCA). The committee must include the following:

- six practicing and licensed physicians or osteopathic physicians; and
- five other practicing licensed health professionals who use health technology in their scope of practice.

At least two members of HTCC must have professional experience treating women, children, elderly persons, and people with diverse ethnic and racial backgrounds. Members of HTCC must not contract with or be employed by a health technology manufacturer or participating agency for 18 months before their appointment and throughout their term. Members are immune from civil liability for any official acts performed in good faith as part of HTCC. Members are compensated for participation in the work of HTCC.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The administrator of HCA selects health technologies for review by HTCC. HTCC may also select health technologies for review, pursuant to a petition submitted by an interested party. Upon the selection of a health technology for review, the administrator of HCA contracts for an evidence-based assessment of the technology's safety, efficacy, and cost effectiveness.

For each health technology selected for review, HTCC determines:

- the conditions, if any, under which the health technology will be included as a covered benefit in health care programs of participating agencies; and
- if covered, the criteria which the participating agency administering the program must use to decide whether the technology is medically necessary or proper, and necessary treatment.

Summary of Engrossed Second Substitute Bill: The Washington State Medical Association (WSMA) may appoint at least one member of the committee who must be a medical expert in the use of the technology being considered by the committee. This member serves on the committee with all of the rights and responsibilities of the standing committee members, only for review of the technology the member has expertise in. This member is subject to reappointment by WSMA. Where WSMA is unable to make the appointment of this member, the administrator or a designee of HCA makes the appointment.

Appropriation: None.

Fiscal Note: Not requested.

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: HTCC is a collaborative effort that assists patients and physicians. This bill addresses problems with getting clinical expertise on HTCC and with the administrator of HCA selecting the entire committee.

OTHER: The administrator of HCA must consider specialty, geographic practice area, knowledge, and experience. These criteria are important for selection of anyone on the committee. The objectivity and transparency underlying HTCC should be considered.

Persons Testifying: PRO: Senator Dammeier, prime sponsor; Clif Finch, Abbott.

OTHER: Dan Lessler, Chief Medical Officer, HCA.