
Health Care & Wellness Committee

SSB 5481

Brief Description: Requiring the insurance commissioner to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and breast prostheses.

Sponsors: Senate Committee on Health Care (originally sponsored by Senators Cleveland, Rivers, Becker, Kuderer, Keiser, Carlyle and Saldaña).

Brief Summary of Substitute Bill

- Requires the Health Care Authority and the Department of Health (DOH) to implement a campaign to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and prostheses.
- Requires the Office of the Insurance Commissioner and the DOH to distribute educational materials about insurance coverage for breast reconstruction and prostheses.

Hearing Date: 3/14/17

Staff: Alexa Silver (786-7190).

Background:

The federal Women's Health and Cancer Rights Act requires a health plan that provides benefits related to a mastectomy to cover breast reconstruction surgery, surgery and reconstruction of the other breast to produce a symmetrical appearance, prostheses, and physical complications of mastectomy. Health plans are also required to notify beneficiaries of these coverage requirements.

State law also requires carriers to cover reconstructive breast surgery following a mastectomy, as well as reconstruction of the other breast to make it equal in size.

Summary of Bill:

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 Health Care Authority (HCA), in coordination with the Department of Health (DOH), must create and implement a campaign to educate breast cancer patients about the availability of insurance coverage for breast reconstruction and prostheses. The agencies may create new educational materials or make available materials that are published by for-profit or nonprofit organizations. The materials must provide information about:

- the availability of breast reconstruction surgery following a mastectomy, including that the reconstruction surgery may be performed at the time of a mastectomy or may be delayed;
- prostheses or breast forms as alternatives to breast reconstruction surgery; and
- the requirements of the Women's Health and Cancer Rights Act of 1998, including the right to breast reconstruction surgery even if the surgery is delayed.

The Office of the Insurance Commissioner and the HCA must distribute the materials to people receiving their services. Distribution may be accomplished through current methods used to inform consumers, including by posting information online, or other methods used by the agencies. The DOH must also make the materials available to health care professionals for distribution to patients who may qualify for breast reconstruction surgery after a mastectomy. The DOH may use its current methods to provide health care professionals with informational materials, including by posting the materials online.

No private right of action is created.

Appropriation: None.

Fiscal Note: Available.

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