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HOUSE BILL 2572

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State of Washington                      65th Legislature                      2018 Regular Session

By Representatives Cody, Macri, Jenkins, Kagi, Wylie, Slatter, Tharinger, Ormsby, and Robinson

Read first time 01/10/18. Referred to Committee on Health Care & Wellness.

1            AN ACT Relating to removing health coverage barriers to accessing  
2 substance use disorder treatment services; adding a new section to  
3 chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; adding  
4 a new section to chapter 71.24 RCW; and creating a new section.

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

6            NEW SECTION.    **Sec. 1.** (1) The legislature finds that:

7            (a) Substance use disorders are on the rise in Washington,  
8 affecting victims, families, and communities throughout the state;

9            (b) Access to effective treatment is a necessary component to  
10 helping individuals recover from substance use disorders; and

11            (c) When individuals are ready for treatment, they should be able  
12 to obtain it with minimal barriers relating to health care coverage.

13            (2) The legislature therefore intends to ensure that there is no  
14 wrong door for individuals accessing substance use disorder treatment  
15 services by requiring coverage, and prohibiting prior authorization,  
16 for certain substance use disorder treatment services.

17            NEW SECTION.    **Sec. 2.** A new section is added to chapter 41.05  
18 RCW to read as follows:

19            (1) A health plan offered to employees and their covered  
20 dependents under this chapter issued or renewed on or after the

1 effective date of this section may not require an enrollee to obtain  
2 prior authorization for substance use disorder treatment if the  
3 provider is licensed under Title 18 RCW and the treatment is within  
4 the provider's scope of practice.

5 (2) A health plan offered to employees and their covered  
6 dependents under this chapter issued or renewed on or after the  
7 effective date of this section must provide coverage for the  
8 following services for up to a total of fourteen days: Medically  
9 necessary acute treatment services and medically necessary clinical  
10 stabilization services. The health plan may not require an enrollee  
11 to obtain prior authorization for medically necessary acute treatment  
12 services or medically necessary clinical stabilization services. The  
13 facility providing the services shall provide the health plan both  
14 notification of admission and the initial treatment plan within  
15 forty-eight hours of admission. The health plan may initiate  
16 utilization review procedures on the seventh day after admission.

17 (3) For purposes of this section, medical necessity must be  
18 determined by the treating provider in consultation with the patient  
19 and must be noted in the patient's medical record.

20 (4) For purposes of this section:

21 (a) "Acute treatment services" means twenty-four hour medically  
22 supervised addiction treatment for adults or adolescents provided in  
23 a medically managed or medically monitored inpatient facility that  
24 provides evaluation and withdrawal management. "Acute treatment  
25 services" includes biopsychosocial assessment, individual and group  
26 counseling, psychoeducational groups, and discharge planning.

27 (b) "Clinical stabilization services" means twenty-four hour  
28 clinically managed post detoxification treatment for adults or  
29 adolescents, usually following acute treatment services for substance  
30 abuse. "Clinical stabilization services" includes intensive education  
31 and counseling regarding the nature of substance use disorder and its  
32 consequences, relapse prevention, outreach to families and  
33 significant others, and aftercare planning, for individuals beginning  
34 to engage in recovery from a substance use disorder.

35 (c) "Substance use disorder treatment" means: Early intervention  
36 services for substance use disorder treatment; substance use disorder  
37 evaluation; outpatient services, including medically assisted  
38 therapies; intensive outpatient and partial hospitalization services;  
39 residential or inpatient services other than acute treatment services  
40 or clinical stabilization services; and medically managed intensive

1 inpatient services other than acute treatment services or clinical  
2 stabilization services.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.43  
4 RCW to read as follows:

5 (1) A health plan issued or renewed on or after the effective  
6 date of this section may not require an enrollee to obtain prior  
7 authorization for substance use disorder treatment if the provider is  
8 licensed under Title 18 RCW and the treatment is within the  
9 provider's scope of practice.

10 (2) A health plan issued or renewed on or after the effective  
11 date of this section must provide coverage for the following services  
12 for up to a total of fourteen days: Medically necessary acute  
13 treatment services and medically necessary clinical stabilization  
14 services. The health plan may not require an enrollee to obtain prior  
15 authorization for medically necessary acute treatment services or  
16 medically necessary clinical stabilization services. The facility  
17 providing the services shall provide the health plan both  
18 notification of admission and the initial treatment plan within  
19 forty-eight hours of admission. The health plan may initiate  
20 utilization review procedures on the seventh day after admission.

21 (3) For purposes of this section, medical necessity must be  
22 determined by the treating provider in consultation with the patient  
23 and must be noted in the patient's medical record.

24 (4) For purposes of this section:

25 (a) "Acute treatment services" means twenty-four hour medically  
26 supervised addiction treatment for adults or adolescents provided in  
27 a medically managed or medically monitored inpatient facility that  
28 provides evaluation and withdrawal management. "Acute treatment  
29 services" includes biopsychosocial assessment, individual and group  
30 counseling, psychoeducational groups, and discharge planning.

31 (b) "Clinical stabilization services" means twenty-four hour  
32 clinically managed post detoxification treatment for adults or  
33 adolescents, usually following acute treatment services for substance  
34 abuse. "Clinical stabilization services" includes intensive education  
35 and counseling regarding the nature of substance use disorder and its  
36 consequences, relapse prevention, outreach to families and  
37 significant others, and aftercare planning, for individuals beginning  
38 to engage in recovery from a substance use disorder.

1 (c) "Substance use disorder treatment" means: Early intervention  
2 services for substance use disorder treatment; substance use disorder  
3 evaluation; outpatient services, including medically assisted  
4 therapies; intensive outpatient and partial hospitalization services;  
5 residential or inpatient services other than acute treatment services  
6 or clinical stabilization services; and medically managed intensive  
7 inpatient services other than acute treatment services or clinical  
8 stabilization services.

9 NEW SECTION. **Sec. 4.** A new section is added to chapter 71.24  
10 RCW to read as follows:

11 (1) Beginning January 1, 2019, a behavioral health organization  
12 may not require an enrollee to obtain prior authorization for  
13 substance use disorder treatment if the provider is licensed under  
14 Title 18 RCW and the treatment is within the provider's scope of  
15 practice.

16 (2) Beginning January 1, 2019, a behavioral health organization  
17 must provide coverage for the following services for up to a total of  
18 fourteen days: Medically necessary acute treatment services and  
19 medically necessary clinical stabilization services. The behavioral  
20 health organization may not require an enrollee to obtain prior  
21 authorization for medically necessary acute treatment services or  
22 medically necessary clinical stabilization services. The facility  
23 providing the services shall provide the behavioral health  
24 organization both notification of admission and the initial treatment  
25 plan within forty-eight hours of admission. The behavioral health  
26 organization may initiate utilization review procedures on the  
27 seventh day after admission.

28 (3) For purposes of this section, medical necessity must be  
29 determined by the treating provider in consultation with the patient  
30 and must be noted in the patient's medical record.

31 (4) For purposes of this section:

32 (a) "Acute treatment services" means twenty-four hour medically  
33 supervised addiction treatment for adults or adolescents provided in  
34 a medically managed or medically monitored inpatient facility that  
35 provides evaluation and withdrawal management. "Acute treatment  
36 services" includes biopsychosocial assessment, individual and group  
37 counseling, psychoeducational groups, and discharge planning.

38 (b) "Clinical stabilization services" means twenty-four hour  
39 clinically managed post detoxification treatment for adults or

1 adolescents, usually following acute treatment services for substance  
2 abuse. "Clinical stabilization services" includes intensive education  
3 and counseling regarding the nature of substance use disorder and its  
4 consequences, relapse prevention, outreach to families and  
5 significant others, and aftercare planning, for individuals beginning  
6 to engage in recovery from a substance use disorder.

7 (c) "Substance use disorder treatment" means: Early intervention  
8 services for substance use disorder treatment; substance use disorder  
9 evaluation; outpatient services, including medically assisted  
10 therapies; intensive outpatient and partial hospitalization services;  
11 residential or inpatient services other than acute treatment services  
12 or clinical stabilization services; and medically managed intensive  
13 inpatient services other than acute treatment services or clinical  
14 stabilization services.

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