
SENATE BILL 6358

State of Washington

66th Legislature

2020 Regular Session

By Senators Randall, Short, and Wilson, C.

Read first time 01/15/20. Referred to Committee on Health & Long Term Care.

1 AN ACT Relating to requiring medicaid managed care organizations
2 to provide reimbursement of health care services provided by
3 substitute providers; and adding a new section to chapter 74.09 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.09
6 RCW to read as follows:

7 (1) In order to protect patients and ensure that they benefit
8 from seamless quality care when contracted providers are absent from
9 their practices or when there is a temporary vacancy in a position
10 while a hospital, rural health clinic, or rural provider is
11 recruiting to meet patient demand, hospitals, rural health clinics,
12 and rural providers may use substitute providers to provide services.
13 Medicaid managed care organizations must allow for the use of
14 substitute providers and provide payment consistent with the
15 provisions in this section.

16 (2) Hospitals, rural health clinics, and rural providers may use
17 substitute providers when:

18 (a) A contracted provider is absent for a limited period of time
19 due to vacation, illness, disability, continuing medical education,
20 or other short-term absence; or

1 (b) A hospital, rural health clinic, or rural provider is
2 recruiting to fill an open position.

3 (3) For a substitute provider providing services under subsection
4 (2)(a) of this section, the substitute provider may bill and receive
5 payment for services under the contracted provider's national
6 provider identifier for up to sixty days.

7 (4) Enrollment of a substitute provider in a medicaid managed
8 care organization is effective on the later of:

9 (a) The date the substitute provider filed an enrollment
10 application that was subsequently approved; or

11 (b) The date the substitute provider first began providing
12 services at the hospital, rural health clinic, or rural provider.

13 (5) Substitute providers may retrospectively bill for services
14 for up to thirty days prior to their effective date under subsection
15 (4) of this section if:

16 (a) The substitute provider has met all program requirements,
17 including state licensure requirements; and

18 (b) Circumstances precluded enrollment in advance of providing
19 services to medicaid beneficiaries.

20 (6) Nothing in this section obligates a managed care organization
21 to enroll any substitute provider who requests enrollment if they do
22 not meet the organizations enrollment criteria.

23 (7) For purposes of this section:

24 (a) "Circumstances precluded enrollment" means that the provider
25 has met all program requirements including state licensure during the
26 thirty-day period before an application was submitted and no final
27 adverse determination precluded enrollment. If a final adverse
28 determination precluded enrollment during this thirty-day period, the
29 contractor shall only establish an effective billing date the day
30 after the date that the final adverse action was resolved, as long as
31 it is not more than thirty days prior to the date on which the
32 application was submitted.

33 (b) "Contracted provider" means a provider who is contracted with
34 a medicaid managed care organization.

35 (c) "Hospital" means a facility licensed under chapter 70.41 or
36 71.12 RCW.

37 (d) "Rural health clinic" means a federally designated rural
38 health clinic.

39 (e) "Rural provider" means physicians licensed under chapter
40 18.71 RCW, osteopathic physicians and surgeons licensed under chapter

1 18.57 RCW, physician assistants licensed under chapter 18.71A RCW,
2 osteopathic physician assistants licensed under chapter 18.57A RCW,
3 and advanced registered nurse practitioners licensed under chapter
4 18.79 RCW, who are located in a rural county as defined in RCW
5 82.14.370.

6 (f) "Substitute provider" includes physicians licensed under
7 chapter 18.71 RCW, osteopathic physicians and surgeons licensed under
8 chapter 18.57 RCW, physician assistants licensed under chapter 18.71A
9 RCW, osteopathic physician assistants licensed under chapter 18.57A
10 RCW, and advanced registered nurse practitioners licensed under
11 chapter 18.79 RCW.

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