CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5581**

Chapter 444, Laws of 2023

68th Legislature

2023 Regular Session

MATERNITY CARE SERVICES—HEALTH PLAN COST SHARING—REPORT

EFFECTIVE DATE: July 23, 2023

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| Passed by the Senate April 18, 2023  Yeas 48 Nays 0  DENNY HECK  **President of the Senate**  Passed by the House April 7, 2023  Yeas 96 Nays 0  LAURIE JINKINS  **Speaker of the House of Representatives** | CERTIFICATE  I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5581** as passed by the Senate and the House of Representatives on the dates hereon set forth.  SARAH BANNISTER  Secretary |
| Approved May 11, 2023 10:12 AM | May 11, 2023 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE SENATE BILL 5581**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2023 Regular Session

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Muzzall, Robinson, Braun, Rivers, Warnick, Cleveland, Hasegawa, Kuderer, Lovelett, Shewmake, C. Wilson, J. Wilson, and L. Wilson)

AN ACT Relating to developing strategies to reduce or eliminate cost sharing for maternity care services and postpartum care; and creating a new section.

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

NEW SECTION. **Sec.**  (1) The office of the insurance commissioner, in consultation with health carriers, health care providers, and consumers in this state, shall conduct an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care, and make recommendations regarding methods to reduce or eliminate deductibles and other forms of cost sharing for maternity care services.

(2) In conducting the analysis, the office of the insurance commissioner shall:

(a) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the insurance commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(i) How health plan benefit designs define maternity care services;

(ii) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(iii) Which maternity care services are considered preventive services under section 2713 of the federal public health service act (42 U.S.C. Sec. 300gg et seq.) and implementing federal regulations in effect on the effective date of this section and are therefore exempt from cost sharing;

(iv) The five most used maternity care reimbursement methodologies used by each carrier; and

(v) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(b) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(i) Individual health plans other than cascade select plans;

(ii) Cascade select health plans;

(iii) Small group health plans;

(iv) Large group health plans;

(v) Health plans offered to public employees under chapter 41.05 RCW; and

(vi) All health plans in the aggregate.

(3) The office of the insurance commissioner shall submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024. The report must also include recommendations for methods to reduce or eliminate deductibles and other forms of cost sharing for maternity care services.

(4) The office of the insurance commissioner may contract for all or a portion of the analysis required in this section.

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Passed by the Senate April 18, 2023.

Passed by the House April 7, 2023.

Approved by the Governor May 11, 2023.

Filed in Office of Secretary of State May 11, 2023.