

FINAL BILL REPORT

SSB 5338

C 87 L 23
Synopsis as Enacted

Brief Description: Reviewing the state's essential health benefits.

Sponsors: Senate Committee on Health & Long Term Care (originally sponsored by Senators Cleveland, Muzzall, Conway and Randall).

Senate Committee on Health & Long Term Care
House Committee on Health Care & Wellness

Background: Under the Affordable Care Act, each state must designate an essential health benefits benchmark plan to serve as a benchmark for all individual and small group health plans offered in the state. Washington's most recent designation of the essential health benefits benchmark plan was in 2016.

In 2019, the Department of Health and Human Services issued a notice of benefits and payment parameters that gives states an opportunity to update their essential health benefit benchmark plans for 2020 and beyond. The deadline for submission of a request and supporting documents for a future plan year is May two years before the plan year the essential health benefits update would take effect. The submission must include an actuarial analysis and description of the new benchmark plan, and a description of benefits and limits.

Summary: The Office of the Insurance Commissioner (OIC), in consultation with relevant interested persons and entities, must review Washington's benchmark health plan establishing the state's essential health benefits to determine whether to request approval to modify the state's essential health benefits benchmark plan.

As part of this review, OIC must determine the potential impacts on individual and small group health plan design, actuarial values, and premium rates if coverage for each of the following was included as an essential health benefit:

- hearing instruments and associated services;
- fertility services;

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- biomarker testing;
- contralateral prophylactic mastectomies;
- donor human milk;
- treatment for pediatric acute-onset neuropsychiatric syndrome 23 and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections; and
- magnetic resonance imaging for breast cancer screening.

Any update of the state's essential health benefits benchmark plan must also include coverage for human donor milk and hearing instruments.

By December 31, 2023, OIC must report the results of the review to the relevant committees of the Legislature, including any findings related to modifying the state's essential health benefits.

Votes on Final Passage:

Senate	48	0	
House	96	0	(House amended)
Senate	49	0	(Senate concurred)

Effective: April 13, 2023