

SENATE BILL REPORT

SB 5629

As of Third Reading

Title: An act relating to hepatitis B and hepatitis C screening and health care services.

Brief Description: Concerning hepatitis B and hepatitis C screening and health care services.

Sponsors: Senators Conway, Dhingra, Hasegawa, Nobles and Wilson, C..

Brief History:

Committee Activity: Health & Long Term Care: 2/07/23, 2/14/23 [DP, w/oRec].

Brief Summary of Bill

- Requires primary care providers to offer a hepatitis B and a hepatitis C screening test to any patient based on the latest federal screening recommendations to the extent the services are covered under the patient's health insurance, unless the provider reasonably believes certain conditions are met.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Muzzall, Assistant Ranking Member; Conway, Dhingra, Holy, Padden and Van De Wege.

Minority Report: That it be referred without recommendation.

Signed by Senator Rivers, Ranking Member.

Staff: Julie Tran (786-7283)

Background: United States Preventive Services Task Force. The United States Preventive Services Task Force (USPSTF) is an independent, volunteer panel of national experts in disease prevention and evidence-based medicine. USPSTF makes evidence-based

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recommendations about preventive services such as screenings, behavioral counseling, and preventive medications. Under the Affordable Care Act, most private insurance plans are required to cover preventive services that receive a grade of A or B from the Task Force without a copay.

Hepatitis B. Hepatitis B is a vaccine-preventable liver infection caused by the hepatitis B virus (HBV). Hepatitis B is spread when blood or other body fluids from a person infected with the virus enters the body of someone who is not infected. USPSTF has provided HBV a grade of B.

USPSTF recommends screening for HBV in adolescents and adults at increased risk for infection. Persons who are at increased risk include: persons born in countries and regions with a high prevalence of HBV infection; persons born in the United States who were not vaccinated as infants whose parents were born in regions with a very high prevalence of HBV infection; HIV positive persons; persons with injection drug use; men who have sex with men; and household contacts or sexual partners of persons with an HBV infection. USPSTF further recommends that persons with continued risk for HBV infection be screened periodically.

Hepatitis C. Hepatitis C is a liver infection caused by the hepatitis C virus (HCV). Hepatitis C is spread through contact with blood from an infected person. USPSTF recommends a one-time screening for HCV in all adults aged 18 to 79 years of age. USPSTF also suggests clinicians consider screening persons younger than 18 years and older than 79 years who are at high risk for infection. USPSTF further recommends that persons with continued risk for HCV infection be screened periodically. USPSTF has provided HCV a grade of B.

Summary of Bill: A primary care provider must offer an HBV and an HCV screening test to any patient to the extent the services are covered under the patient's health insurance. The screening test should be offered according to the latest screening test recommendations from USPSTF and the offer of testing must be culturally and linguistically appropriate.

A primary care provider includes general practice physicians, family practitioners, internists, pediatricians, osteopathic physicians, naturopaths, physician assistants, and advanced registered nurse practitioners.

A primary care provider is exempt from offering the screening tests if the primary care provider reasonably believes that: the patient is experiencing an emergency; the patient has previously been offered or has been the subject of an HBV or an HCV screening test, unless the primary care provider determines that one or both screenings should be offered again; or the patient lacks capacity to consent.

If the patient accepts the offer of a screening test and the result of the test is positive, the primary care provider must offer follow-up care or refer the patient to another primary care provider who can provide follow-up care. For HCV, follow-up care must include an HCV

diagnostic test.

The requirement does not affect a primary care provider's scope of practice or diminish any authority, legal, or professional obligation. Failure to comply with the requirement does not subject a primary care provider to any disciplinary actions related to licensure or certification or to any civil or criminal liability.

The Department of Health may adopt rules involving the offering of screening tests, training requirements for HBV and HCV, and the training of primary care providers.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill helps people access important health care services and protects the health of our communities. HBV and hepatitis C patients often do not show symptoms until the diseases lead to chronic illness or early death. Screening tests are needed for early detection and adequate treatment. This bill offers an opportunity to move health care forward and reduce future treatment costs. The only problem to this bill is that it ignores the incarcerated population that have higher rates of HBV and hepatitis C and need adequate access to screening tests.

OTHER: There are concerns with the broad mandate application in this bill. There are other resources in place that would be more helpful to promote screening and treatments, rather than a broad mandate.

Persons Testifying: PRO: Senator Steve Conway, Prime Sponsor; Marc Stern; Michaela Jackson, Hepatitis B Foundation; Dr. Anthony Chen, Tacoma Pierce County Health Department; Juliana Wong, King County Asian Pacific Islander Coalition; Nadine Shiroma.

OTHER: Sean Graham, WA State Medical Association (WSMA).

Persons Signed In To Testify But Not Testifying: No one.