
SUBSTITUTE SENATE BILL 5729

State of Washington

68th Legislature

2023 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Keiser, Cleveland, Hasegawa, Hunt, Kuderer, Nguyen, Shewmake, Stanford, Valdez, and C. Wilson)

READ FIRST TIME 02/17/23.

1 AN ACT Relating to removing the expiration date on the cost-
2 sharing cap for insulin; and amending RCW 48.43.780.

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

4 **Sec. 1.** RCW 48.43.780 and 2022 c 10 s 1 are each amended to read
5 as follows:

6 (1) Except as required in subsection (2) of this section, a
7 health plan issued or renewed on or after January 1, 2023, that
8 provides coverage for prescription insulin drugs for the treatment of
9 diabetes must cap the total amount that an enrollee is required to
10 pay for a covered insulin drug at an amount not to exceed \$35 per 30-
11 day supply of the drug. Prescription insulin drugs must be covered
12 without being subject to a deductible, and any cost sharing paid by
13 an enrollee must be applied toward the enrollee's deductible
14 obligation.

15 (2) If the federal internal revenue service removes insulin from
16 the list of preventive care services which can be covered by a
17 qualifying health plan for a health savings account before the
18 deductible is satisfied, for a health plan that provides coverage for
19 prescription insulin drugs for the treatment of diabetes and is
20 offered as a qualifying health plan for a health savings account, the
21 carrier must establish the plan's cost sharing for the coverage of

1 prescription insulin for diabetes at the minimum level necessary to
2 preserve the enrollee's ability to claim tax exempt contributions
3 from his or her health savings account under internal revenue service
4 laws and regulations. The office of the insurance commissioner must
5 provide written notice of the change in internal revenue service
6 guidance to affected parties, the chief clerk of the house of
7 representatives, the secretary of the senate, the office of the code
8 reviser, and others as deemed appropriate by the office.

9 (~~(3) This section expires January 1, 2024.~~)

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