

SENATE BILL REPORT

SB 5075

As of January 21, 2025

Title: An act relating to cost sharing for prenatal and postnatal care.

Brief Description: Concerning cost sharing for prenatal and postnatal care.

Sponsors: Senators Muzzall, Cleveland, Bateman, Braun, Cortes, Dozier, Frame, Harris, Hasegawa, Krishnadasan, Riccelli, Shewmake, Trudeau, Warnick and Wilson, C..

Brief History:

Committee Activity: Health & Long-Term Care: 1/21/25.

Brief Summary of Bill

- Prohibits health plans, including plans offered to public employees, from imposing cost sharing requirements on cover prenatal and postnatal services.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Greg Attanasio (786-7410)

Background: In 2023, the Legislature directed the Office of the Insurance Commissioner (OIC) to analyze how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postnatal care, and make recommendations regarding methods to reduce or eliminate deductibles and other forms of cost sharing for maternity care services. OIC contracted with Milliman to provide actuarial analysis and provided a report with five cost sharing elimination options, including eliminating cost sharing for all maternity services; prenatal services only; postnatal services only; labor and delivery services; and labor, delivery, and postnatal services only.

The report identified prenatal services as including office visits, laboratory services, ultrasound or imaging, prenatal screening tests, prescription drugs, and prenatal vitamins;

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and postnatal services as including office visits, lactation specialists, follow-up care for cesarian section, laboratory services, ultrasounds or imaging, prescription drugs, and counseling and therapy services. For the elimination of cost sharing for prenatal services, the report found a corresponding premium increase ranging from \$0.30 to \$1.01 per member per month and for the elimination of postnatal services depending on plan type, the report found a corresponding premium increase ranging from \$0.04 to \$0.10 per member per month depending on plan type.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): Beginning January 1, 2026, health plans, including plans offered to public employees, that provide coverage for maternity services may not impose any cost sharing requirements on covered prenatal services including, but not limited to, office visits, laboratory services, ultrasounds and other imaging, prenatal screening tests, prescription drugs, and prenatal vitamins, and covered postnatal services including, but not limited to, office visits, lactation specialists, cesarian section follow-up care, laboratory services, ultrasounds and other imaging, counseling and therapy services, and prescription drugs.

For the purposes of this act, the prenatal services period begins 270 days before delivery or the pregnancy end date and the postnatal services period extends for 12 months after delivery.

For a health plan that provides coverage for prenatal and postnatal services, and is offered as a qualifying health plan for a health savings account, the health carrier shall establish the plan's cost sharing for the coverage of prenatal and postnatal services at the minimum level necessary to preserve the tax exempt status of contributions and withdrawals from the health savings account.

Appropriation: None.

Fiscal Note: Available. (Fiscal note is on the underlying bill)

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 On Proposed Substitute: PRO: This bill is intended to relieve the financial burden on expectant mothers. Providing access to complete care will reduce pregnancy complications. Pregnancy related care can result in significant cost to the patient. Patients often decline tests because of the cost and this can result in missing important information. Increasing access to care will result better outcomes.

OTHER: The bill needs to clarify definitions, including when the prenatal period starts. It is

not clear how prescription drug cost sharing prohibition would work.

Persons Testifying: PRO: Senator Ron Muzzall, Prime Sponsor; Ellie Mulpeter, Academy of Lactation Policy and Practice; Jane Beyer, Office of the Insurance Commissioner; Dr Annie Iriye, American College of Obstetricians and Gynecologists (ACOG).

OTHER: Jennifer Ziegler, Association of Washington Health Care Plans.

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