

SENATE BILL REPORT

SB 5577

As Reported by Senate Committee On:
Health & Long-Term Care, February 13, 2025

Title: An act relating to medicaid coverage for HIV antiviral drugs.

Brief Description: Concerning medicaid coverage for HIV antiviral drugs.

Sponsors: Senators Liias, Braun, Harris, Cleveland, Dhingra, Hasegawa, Holy, Kauffman, Lovelett, Nobles, Pedersen, Riccelli, Shewmake, Short, Stanford, Valdez and Wilson, C..

Brief History:

Committee Activity: Health & Long-Term Care: 2/11/25, 2/13/25 [DP].

Brief Summary of Bill

- Requires Medicaid coverage for all federal Food and Drug Administration-approved HIV antiviral drugs without prior authorization or step therapy.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Orwall, Vice Chair; Muzzall, Ranking Member; Bateman, Chapman, Christian, Harris, Holy, Riccelli, Robinson and Slatter.

Staff: Julie Tran (786-7283)

Background: Medicaid is a federal-state partnership with programs established in the federal Social Security Act and implemented at the state level with federal matching funds. The Health Care Authority (HCA) administers the Medicaid program for health care for low-income state residents who meet certain eligibility criteria. Washington's Medicaid Program, known as Apple Health, offers a complete medical benefits package, including prescription drug coverage, to eligible families, children under age 19, low-income adults,

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certain disabled individuals, and pregnant women. While some clients receive services through the HCA on a fee-for-service basis, the large majority receive coverage for medical services through managed care systems. Managed care is a prepaid, comprehensive system for delivering a complete medical benefits package that is available for eligible families, children under age 19, low-income adults, certain disabled individuals, and pregnant women. HCA contracts with managed care organizations under a comprehensive risk contract to provide prepaid health care services to persons enrolled in a managed care Apple Health plan.

For the 2023-2025 biennium, the Legislature appropriated funds for HCA to provide coverage for all federal Food and Drug Administration (FDA)-approved HIV antiviral drugs without prior authorization.

Currently, Apple Health fee-for-service and managed care plans cover all drugs used for HIV treatment or PrEP without prior authorization as of January 1, 2023.

Summary of Bill: HCA must provide coverage for all FDA-approved HIV antiviral drugs without prior authorization or step therapy. This coverage must be provided to Apple Health clients enrolled in both fee-for-service and managed care programs.

Upon initiation or renewal of a contract with HCA to administer a Medicaid managed care plan, a managed health care system must provide coverage without prior authorization or step therapy for all FDA-approved HIV antiviral drugs.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2025.

Staff Summary of Public Testimony: PRO: This policy has been proven to work and it is currently an existing law but it has been in the operating budget. This is a part of the strategy to eradicate HIV in the state of Washington and this bill is a critical component of preventing the spread of HIV. This bill is ensuring that HIV positive patients have access to the preventative medications that work for them.

Persons Testifying: PRO: Senator Marko Liias, Prime Sponsor; David Ramos, Cascade AIDS Project.

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