
ENGROSSED SUBSTITUTE SENATE BILL 5629

State of Washington

69th Legislature

2025 Regular Session

By Senate Health & Long-Term Care (originally sponsored by Senators Harris, Chapman, Dozier, Frame, Hasegawa, Lias, Slatter, Trudeau, and Valdez)

READ FIRST TIME 02/21/25.

1 AN ACT Relating to coverage requirements for prosthetic limbs and
2 custom orthotic braces; and adding a new section to chapter 48.43
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43
6 RCW to read as follows:

7 (1) Nongrandfathered group health plans, other than small group
8 health plans and health plans offered to public employees and
9 dependents under chapter 41.05 RCW, issued or renewed on or after
10 January 1, 2026, must include coverage for one or more prostheses per
11 limb and custom orthotic braces per limb when medically necessary for
12 the enrollee to participate in any of the following:

13 (a) Completing activities of daily living or essential job-
14 related activities; and

15 (b) Performing physical activities, including but not limited to
16 running, biking, swimming, and strength training, for maximizing the
17 enrollee's lower limb function, upper limb function, or both.

18 (2) The coverage required under this section must also include
19 coverage for:

20 (a) Materials, components, and related services necessary to use
21 the devices for their intended purposes;

1 (b) Instruction to the enrollee on using the devices; and

2 (c) Reasonable repair or replacement of the devices.

3 (3) (a) Coverage under this section includes coverage for the
4 replacement or repair of a prosthetic limb or custom orthotic brace
5 or for the replacement or repair of any part of such devices, without
6 regard to continuous use or useful lifetime restrictions, if
7 medically necessary because:

8 (i) Of a change in the physiological condition of the patient;

9 (ii) Of an irreparable change in the condition of the device or a
10 part of the device; or

11 (iii) The device, or any part of the device, requires repairs and
12 the cost of such repairs would be more than 60 percent of the cost of
13 a replacement device or of the part being replaced.

14 (b) Confirmation from the prescribing health care provider may be
15 required if the prosthetic limb or custom orthotic brace or part
16 being replaced is less than three years old.

17 (4) A health plan subject to this section may not deny coverage
18 for a prosthetic limb or custom orthotic brace for an enrollee with a
19 disability if health care services would otherwise be covered for a
20 nondisabled person seeking medical or surgical intervention to
21 restore or maintain the ability to perform the same physical
22 activity.

23 (5) For coverage under this section, a health plan subject to
24 this section may apply normal utilization management and prior
25 authorization practices. Any denial of coverage must be issued in
26 writing with an explanation for determining coverage was not
27 medically necessary.

28 (6) A health plan subject to this section shall provide payment
29 for coverage under this section that is at least equal to the payment
30 and coverage for prosthetic limbs and custom orthotic braces provided
31 under federal laws and regulations for the aged and disabled pursuant
32 to 42 U.S.C. Sec. 1395k, 1395l, and 1395m and 42 C.F.R. Sec. 414.202,
33 414.210, 414.228, and 410.100.

34 (7) No later than July 1, 2028, each carrier that issues a health
35 plan subject to this section shall report to the office of the
36 insurance commissioner, in a form and manner determined by the
37 commissioner, the number of claims and the total amount of claims
38 paid in the state for the services required by this section for plan
39 years 2026 and 2027. The commissioner shall aggregate this data by

1 plan year in a report and submit the report to the relevant
2 committees of the legislature by December 1, 2028.

3 (8) For the purposes of this section:

4 (a) "Prosthetic limb" or "prosthesis" means an external medical
5 device that is used to replace or restore a missing limb or portion
6 of a limb and is deemed medically necessary for an individual with a
7 mobility impairing health condition or disability.

8 (b) "Custom orthotic brace" means an external medical device that
9 is custom-fabricated or custom-fitted to support, correct, or
10 alleviate neuromuscular or musculoskeletal dysfunction, disease,
11 injury, or deformity, is needed to improve the safety and efficiency
12 of functional mobility, is patient-specific based on the patient's
13 unique physical condition, and is deemed medically necessary for
14 individuals with a mobility impairing health condition or disability.

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