
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) Large group health plans, other than health plans offered to
8 public employees and dependents under chapter 41.05 RCW, issued or
9 renewed on or after January 1, 2026, must include coverage for one or
10 more prostheses per limb and custom orthotic braces per limb when
11 medically necessary for the enrollee to participate in any of the
12 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 may not deny coverage for a prosthetic limb or
18 custom orthotic brace for an enrollee with a disability if health
19 care services would otherwise be covered for a nondisabled person
20 seeking medical or surgical intervention to restore or maintain the
21 ability to perform the same physical activity.

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

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

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

40 (8) For the purposes of this section:

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

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

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