

# WASHINGTON STATE RADIOLOGICAL SOCIETY

## Weekly Report

PREPARED BY: BOSWELL CONSULTING

Friday, January 20, 2012

The second week of the 2012 legislative session has been one for the record books. While most businesses have been closed due to the unpredictable and uncharacteristic weather this week, the legislature has continued to plod along. The impending budget battle and gay marriage continue to dominate the conversation; however, there is still significant policy legislation being worked on.

Conversations continue around the implementation of Federal Health Care Reform and specifically how the state exchange program will work. This issue promises to be a major battle this year with health care activists on one side and the insurance companies and business community on the other, with the debate centered on how the exchange will regulate the market. Potential budget cuts continue to pose threats to the health care system and specifically Medicaid. The Senate Health Care Committee passed out its version of the Medicaid fraud bill which included the qui tam provision that is opposed by the entire health care community including WSMA, the hospital association and the pharmaceutical industry. There have also been several bills introduced regarding nurse staffing and meal and rest break provisions that could have major impacts on hospital and other health care facility operations.

If you have any questions regarding these or any other issues, please feel free to contact Brad Boswell at [boswellconsulting@gmail.com](mailto:boswellconsulting@gmail.com).

### BILL TRACKING SUMMARY

#### MEDIUM PRIORITY BILLS

		<u>Sponsor</u>	<u>Position</u>	<u>Status</u>
<a href="#">1361</a>	Eliminating mandated health care benefits under state law.	Schmick	Monitor	H, HC/Wellness
<a href="#">ES1740</a>	Establishing a health benefit exchange. (AS OF HOUSE 2ND READING 3/04/11)	Cody	Monitor	H, HC/Wellness
<a href="#">2057</a>	Limiting payments for health care services provided to low-income enrollees in state purchased health care programs.	Cody	Monitor	H, Ways & Means
<a href="#">2226</a>	Concerning dental practitioners.	Cody	Monitor	H, HC/Wellness
<a href="#">2227</a>	Regarding medical assistants.	Cody	Monitor	H, HC/Wellness
<a href="#">2319</a>	Implementing the affordable care act.	Cody	Monitor	H, HC/Wellness
<a href="#">2414</a>	Regarding the certification of surgical technologists.	Cody	Monitor	H, HC/Wellness
<a href="#">2473</a>	Creating a medication assistant endorsement for certified nursing assistants who work in nursing homes.	Green	Monitor	H, HC/Wellness
<a href="#">2522</a>	Requiring certification of music therapists.	Darneille	Monitor	H, HC/Wellness
<a href="#">2523</a>	Regulating insurers and insurance products.	Bailey	Monitor	H, Bus & Fin Svcs
<a href="#">2582</a>	Health care services billing (Supplement not yet available.)		Monitor	H, HC/Wellness
<a href="#">S5310</a>	Concerning false claims against the government. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Kline	Monitor	S, Judiciary
<a href="#">2S5458</a>	Concerning medicaid fraud. (DIGEST OF PROPOSED 2ND SUBSTITUTE)	Keiser	Monitor	S, Rules X
<a href="#">ES5960</a>	Medicaid fraud (Supplement not yet available.)		Monitor	S, Rules X
<a href="#">6178</a>	Implementing the affordable care act.	Keiser	Monitor	S, Hea/L-T Care
<a href="#">6181</a>	Regulating insurers and insurance products.	Keiser	Monitor	S, FI/Hous/Ins
<a href="#">6227</a>	Establishing a medicaid fraud hotline.	Conway	Monitor	S, Hea/L-T Care

<a href="#">6237</a>	Creating a career pathway for medical assistants.	Keiser	Monitor	S, Hea/L-T Care
<a href="#">6270</a>	Providing that health care professional licensees may not be required to participate in any public or private third-party reimbursement program.	Becker	Monitor	S, Hea/L-T Care
<a href="#">6276</a>	Requiring certification of music therapists.	Conway	Monitor	S, Hea/L-T Care
<a href="#">6360</a>	Health care cost commission (Supplement not yet available.)		Monitor	S, Hea/L-T Care
<a href="#">6362</a>	Health care services billing (Supplement not yet available.)		Monitor	S, Hea/L-T Care

**DEAD BILLS**

<a href="#">S1228</a>	Regarding naturopathic physicians. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Green	Monitor	H, HC/Wellness
<a href="#">1302</a>	Regulating health care insurance.	Jinkins	Monitor	H, HC/Wellness
<a href="#">S1561</a>	Addressing payment for critical services rendered by out-of-network providers in in-network hospitals. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Cody	Monitor	H, HC/Wellness
<a href="#">1798</a>	Concerning the health technology assessment program.	Green	Monitor	H, HC/Wellness
<a href="#">1847</a>	Terminating certain tax preferences to provide funding for maintaining basic health program enrollment.	Cody	Monitor	H, Ways & Means
<a href="#">1878</a>	Imposing penalties for violations by certain self-insurers, third-party administrators, and claims management entities.	Ormsby	Monitor	H, Labor/Work Dev
<a href="#">5396</a>	Concerning the employment of physicians by nursing homes.	Murray	Monitor	S, Hea/L-T Care
<a href="#">S5508</a>	Reauthorizing the joint legislative select committee on health reform implementation. (DIGEST OF PROPOSED 1ST SUBSTITUTE)	Parlette	Monitor	S, Rules X
<a href="#">5640</a>	Concerning the health technology assessment program.	Becker	Monitor	S, Hea/L-T Care

**CALENDAR ITEMS**

<a href="#">1/20/2012</a>	2523	Insurers & insurance products	Business & Financial Services	1:30 PM	HHR B
<a href="#">1/23/2012</a>	2473	Medication assist. endorsmnt	Health Care & Wellness	1:30 PM	HHR B
<a href="#">1/24/2012</a>	6181	Insurers & insurance products	Financial Institutions, Housing & Insurance	10:00 AM	SHR 2
<a href="#">1/24/2012</a>	2523	Insurers & insurance products	Business & Financial Services	1:30 PM	HHR B
<a href="#">1/25/2012</a>	2582	Health care services billing	Health Care & Wellness	8:00 AM	HHR B
<a href="#">1/25/2012</a>	6270	Third-party reimbursement	Health & Long-Term Care	8:00 AM	SHR 3

**BILL TRACKING DETAILS**

**1361** **MANDATED HEALTHCARE BENEFITS** **SCHMICK**  
Representatives Schmick, Hinkle, Bailey, McCune, Warnick, Short, Haler, Taylor, Kristiansen, Angel, Johnson, Condotta, and Klippert

Repeals all state mandated health care benefits and replaces them with a requirement that health carriers comply with federal mandates.

Full Text URL: <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1361.pdf>

**ES1740** **HEALTH BENEFIT EXCHANGE** **CODY**  
House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Schmick, Jinkins, and Hinkle) **Requested by Governor Gregoire**

Requires the state, by statute, to establish a health benefit exchange consistent with the federal affordable care act to begin operations no later than January 1, 2014.

Requires the state health care authority, in collaboration with the joint select committee on health reform implementation, to: (1) Apply for and implement planning and establishment grants pursuant to the federal affordable care act; and  
(2) Develop a broad range of options for establishing and implementing a state-administered health benefit exchange.

**Companion Bill:** 5445 Health benefit exchange C, 317 L 11  
**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/1740-s.e.pdf>

**2057** STATE PURCHASED HEALTH CARE **CODY**  
Representatives Cody, Hinkle, and Hunter Requested by  
Health Care Authority and Department of  
Social and Health Services

Declares an intent to create a legislative solution that: (1) Reduces the cost borne by the state to provide public health care coverage to low-income enrollees in managed health care systems;  
(2) Protects enrollees and state purchased health care programs from balance billing by nonparticipating providers;  
(3) Provides appropriate payment to health care providers for services provided to enrollees of state purchased health care programs; and  
(4) Limits the risk for managed health care systems that contract with the state programs.

**Companion Bill:** 5927 State purchased health care C, 9 L 11 E1  
**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2057.pdf>

**2226** DENTAL PRACTITIONERS **CODY**  
Representatives Cody, Kenney, Darneille, Jinkins, McCoy, Moscoso, Green, Santos,  
Pettigrew, Hasegawa, and Appleton

Addresses dental practitioners and dental hygiene practitioners.

**Companion Bill:** 6126 Dental practitioners S, Hea/L-T Care  
**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2226.pdf>

**2227** MEDICAL ASSISTANTS **CODY**  
Representative Cody

Addresses medical assistants.

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2227.pdf>

**2319** AFFORDABLE CARE ACT **CODY**  
Representatives Cody, Jinkins, and Ormsby Requested by  
Governor Gregoire and Insurance  
Commissioner

Further state implementation of the health benefit exchange and related provisions of the affordable care act.

**Companion Bill:** 6178 Affordable care act S, Hea/L-T Care  
**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2319.pdf>

**2414** SURGICAL TECHNOLOGISTS **CODY**  
Representatives Cody, Hinkle, Kelley, Warnick, Green, Schmick, and Harris

Allows only individuals who meet and maintain minimum standards of competence and conduct to engage in the practice of surgical technology.

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2414.pdf>

**2473**

**MEDICATION ASSIST. ENDORSMNT**

**GREEN**

Representatives Green, Hinkle, Johnson, Van De Wege, Ryu, and Roberts

Requires the secretary of the department of health to: (1) Beginning July 1, 2013, issue a medication assistant endorsement to a nursing assistant-certified who meets certain requirements; and

(2) Set medication assistant endorsement fees.

Requires the nursing care quality assurance commission to: (1) Approve education and training programs and examinations for medication assistants; and

(2) Define the prescriber-ordered treatments a medication assistant is authorized to perform.

Prohibits a person, after July 1, 2013, from practicing, or representing himself or herself by any title or description, as a medication assistant without a medication assistant endorsement.

**Companion Bill:** 6382 Medication assist. endormnt S, Hea/L-T Care

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2473.pdf>

**2522**

**MUSIC THERAPISTS**

**DARNEILLE**

Representatives Darneille, Van De Wege, and Goodman

Requires certification of music therapists.

**Companion Bill:** 6276 Music therapists S, Hea/L-T Care

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2522.pdf>

**2523**

**INSURERS & INSURANCE PRODUCTS**

**BAILEY**

Representatives Bailey, Cody, and Kirby

Requested by

Insurance Commissioner

Modifies provisions relating to insurers and insurance products.

**Companion Bill:** 6181 Insurers & insurance products S, FI/Hous/Ins

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2523.pdf>

**2582**

**HEALTH CARE SERVICES BILLING**

(Supplement not yet available.)

**Companion Bill:** 6362 Health care services billing S, Hea/L-T Care

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/House Bills/2582.pdf>

**S5310**

**FALSE CLAIMS AGAINST GOVT**

**KLINE**

Senate Committee on Judiciary (originally sponsored by Senators Kline, Pflug, and Keiser)

Establishes the Washington state false claims act.

Creates the false claims penalty account.

**Full Text URL:** <http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5310-s.pdf>

**25458**

**MEDICAID FRAUD**

**KEISER**

Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Pflug, Kline, Becker, Conway, Pridemore, Rockefeller, and Parlette)

Establishes the medicaid fraud false claims act.

Creates the medicaid fraud penalty account.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5458-s2.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5458-s2.pdf)

**ES 5960**

**MEDICAID FRAUD**

(Supplement not yet available.)

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/5960-s.e.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/5960-s.e.pdf)

**6178**

**AFFORDABLE CARE ACT**

Senators Keiser, Conway, and Shin

**KEISER**  
Requested by  
Governor Gregoire and Insurance  
Commissioner

Furthers state implementation of the health benefit exchange and related provisions of the affordable care act.

Companion Bill: 2319 Affordable care act H, HC/Wellness

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6178.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6178.pdf)

**6181**

**INSURERS & INSURANCE PRODUCTS**

Senators Keiser, Benton, and Hobbs

**KEISER**  
Requested by  
Insurance Commissioner

Modifies provisions relating to insurers and insurance products.

Companion Bill: 2523 Insurers & insurance products H, Bus & Fin Svcs

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6181.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6181.pdf)

**6227**

**MEDICAID FRAUD HOTLINE**

Senators Conway, Keiser, Carrell, Frockt, Pflug, Hargrove, Kline, and Roach

**CONWAY**

Requires the attorney general to establish a toll-free telephone hotline, funded by the medical quality assurance commission, that is available to members of the public to report suspected medicaid fraud.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6227.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6227.pdf)

**6237**

**MEDICAL ASSISTANTS**

Senators Keiser, Conway, Kline, Frockt, and Becker

**KEISER**

Changes the designation of health care assistant to medical assistant.

Provides minimum requirements for entry-level medical assistants.

Requires the department of health to establish a career ladder so that medical assistants can, through experience and education, increase their skills and the procedures in which they are permitted to assist.

Full Text URL: [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6237.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6237.pdf)

**6270**

**THIRD-PARTY REIMBURSEMENT**

Senators Becker, Keiser, Sheldon, Haugen, Shin, Parlette, Fain, Delvin, Schoesler, Carrell, Holmquist Newbry, Honeyford, Morton, and Kline

**BECKER**

Prohibits a licensee, subject to the uniform disciplinary act, from being required to participate in any public or private third-party reimbursement program as a condition of licensure.

Companion Bill: 2621 Third-party reimbursement H, HC/Wellness

**Full Text URL:** [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6270.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6270.pdf)

**6 2 7 6**

**MUSIC THERAPISTS**

**CONWAY**

Senators Conway, Keiser, and Pridemore

Requires certification of music therapists.

**Companion Bill:** 2522 Music therapists H, HC/Wellness

**Full Text URL:** [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6276.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6276.pdf)

**6 3 6 0**

**HEALTH CARE COST COMMISSION**

(Supplement not yet available.)

**Full Text URL:** [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6360.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6360.pdf)

**6 3 6 2**

**HEALTH CARE SERVICES BILLING**

(Supplement not yet available.)

**Companion Bill:** 2582 Health care services billing H, HC/Wellness

**Full Text URL:** [http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate Bills/6362.pdf](http://www.leg.wa.gov/pub/billinfo/2011-12/Pdf/Bills/Senate%20Bills/6362.pdf)