



2023 Legislative Session Summary

Exchange Advisory Committee

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Overview

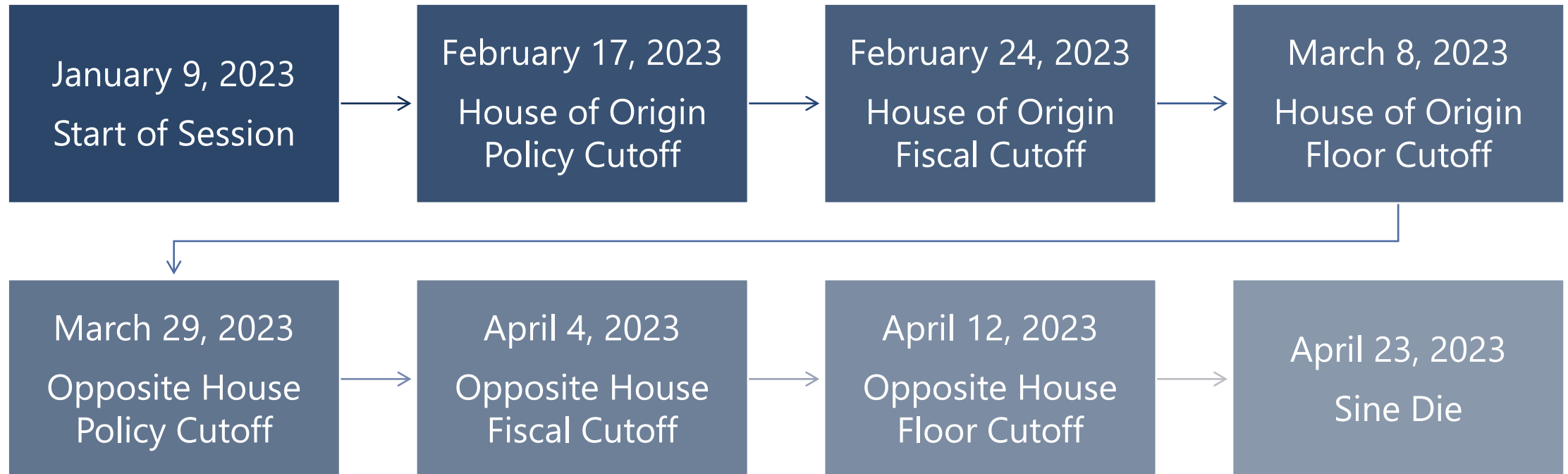
- 2023 Session Snapshot
- Exchange Priorities
- Budget Highlights
- Policy Highlights
- Upcoming Activities

2023 Session Snapshot



2023 Session Snapshot

- Long session (105 days); first half of the biennium; budget year
- No request legislation
- Significant engagement across organization to analyze bills and provide timely technical assistance



2023 Session Snapshot

- The Exchange tracked over 135 bills, including over 70 with direct or indirect Exchange impacts, on topic areas such as:
 - Coverage mandates
 - Cost sharing mandates
 - Cost containment
 - Data privacy
 - Health care oversight
 - Hospital financing
 - Premium assistance programs

1,650
Bills Introduced

818
Bills Passed House of
Origin Fiscal Cutoff

452
Bills Passed the
Legislature

Exchange Priorities



Strategic Plan Priorities



Improve health coverage, affordability, care and outcomes

Advance diversity, equity and inclusion to narrow health disparities, especially in communities of color

Leverage the success of HPF technology platform to strategically expand offered services

Expand innovative approaches to drive health system excellence

2023 Legislative Priorities

- **Increase the availability of quality, affordable health coverage in the individual market**
 - Continue state's \$55M annual investment in Cascade Care Savings beyond fiscal year 2024
- **Expand coverage and reduce disparities**
 - Continued support for the launch and implementation of state's new 1332 waiver, including for outreach and community engagement work
 - Continued support for statewide assister network, including an expansion to reach populations who continue to experience disparities in coverage rates and support for additional health literacy efforts (materials development, translations, etc.) to enable people to better understand how to enroll in, use, and pay for their health insurance.
- **Continue focus on Healthplanfinder technology and improved consumer experiences**
 - Support for Washington Healthplanfinder updates and improvements that were delayed last biennium due to our focus on responding to the COVID pandemic and preparing for the launch of Cascade Care Savings.
 - Continued support to ensure Healthplanfinder is a flexible, accessible, and modern system
- **Secure resources needed to operationalize ongoing federal (e.g., Medicaid unwind) and state (e.g., Cascade Care) legislative directives**

Budget Highlights



2023 Exchange Budget

Secured Requested Funding for Exchange Decision Packages

- Maintaining Funding for Cascade Care Savings
- 1332 Waiver Implementation
- Advancing Health Equity
- Improving the Customer Experience
- Modernizing Healthplanfinder
- Expanding Organizational Capacity

Secured Requested Technical Corrections

- Medicaid Unwind Fund Shift
- Increased Federal Authority/Cost Allocation Adjustment

Funding Provided for Existing Initiatives

- Extended Funding for COFA Lead Navigators
- Extended Funding for Child Care Worker Navigators

Funding Provided for New Initiatives

- Apple Health Expansion Support
- Adult Family Home Training Network Support
- 1332 Waiver Study

Miscellaneous Provisos

- Master Person Index (HHS IT Coalition request)

2023 Exchange Budget Highlights

- **Continued Cascade Care Funding**

- \$110M for state premium assistance for eligible individuals up to 250% FPL (includes \$10M for 1332 waiver).

- **Advancing Health Equity**

- \$1M for targeted Assister Network training, support outreach to tribes, increased language access and translation services.

- **1332 Waiver Implementation**

- \$3M for community-led engagement activities, actuarial support, and FTE for waiver administration.

- **1332 Waiver Study**

- \$260K to assess waiver amendment(s) to capture federal pass-through funding to support affordability programs with a focus on methods being used in other states that could be most readily leveraged in Washington.

- **Assister Network Support**

- \$800k in pass through funds for lead navigator organizations for continued outreach to citizens COFA.
- \$400k in pass through funds to Yakima Neighborhood Health Services for continued outreach for child care workers.
- \$400k to provide training and resources to support DSHS/Adult Family Home Training Network to connect adult family home workers and owners to health care.

2023 Exchange-Related Budget Provisos

- **Apple Health Expansion**

- \$46M funding to HCA for a new Apple Health program for uninsured individuals currently ineligible for Medicaid due to their immigration status (up to 138% FPL).
- Program starts July 1, 2024. Exchange is a key implementation partner.
- Newly eligible individuals will access program through Washington Healthplanfinder (under age 65) and WaConn (65+)
- \$433k to the Exchange to support volume-driven administrative activities (Call Center and correspondence).

- **Cost Containment Study**

- \$500k to OIC and \$100k to AGO to approaches to improve health care affordability, including:
 - Health provider price or rate regulation policies or programs, other than traditional health plan rate review.
 - Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace.
- Report due to Legislature December 1, 2023. Exchange to consult.

- **State Board of Community & Technical Colleges Navigator Pilot**

- \$80k to DCYF to conduct a pilot program to help connect students, including those enrolled in state registered apprenticeship programs, to health care coverage.
 - Follow-up from a successful pilot and collaboration between the Exchange and SBCTC last year.
- Exchange to provide Navigator training to SBCTC hires and consult on report due to Legislature June 30, 2024.

Policy Highlights



Bills of Interest to the Exchange (Passed)

Coverage Mandates

- Reviewing benchmark health plan and studying inclusion of new essential health benefits (OIC)
- Requiring coverage for colorectal screening test
- Requiring a minimum level of coverage for hearing instruments

Cost Sharing Mandates

- Prohibiting cost-sharing for abortion
- Restricting certain behavioral health prescription cost-sharing
- Prohibiting cost-sharing for breast exams
- Developing strategies to reduce or eliminate deductibles for maternity care (OIC)
- Removes expiration date for \$35 cost-sharing cap for prescription insulin

Cost Containment

- Modernizing prior authorization processes

Health Care Oversight

- Including behavioral health under the purview of the Joint Select Committee on Health Care Oversight

Hospital Financing

- Revising the hospital safety net assessment process and program

Bills of Interest to the Exchange (Passed)

Consumer Health Data

- Regulating the use of consumer health data and establishing consumer rights

Personal Identifying Information

- Prohibiting publication of individual personal information without express consent with the intent to harm

Robocalls & Telephone Scams

- Updating statutes prohibiting commercial solicitation using an autodialer

Cybersecurity/Ransomware

- Directing Military Dept. and WaTech to develop recommendations to strengthen cybersecurity across public and private critical infrastructure sectors

Automatic Voter Registration

- Establishes/clarifies provisions for auto. voter registration for individuals applying for government services

Bills of Interest to the Exchange (Did Not Pass)

Coverage Mandates

- Requiring coverage for biomarker testing
- Mandating coverage for fertility services
- Mandating coverage for rapid whole genome sequencing up to age one

Cost Sharing Mandates

- Requiring a decrease in prescription drug cost sharing via pass-through savings at the point of sale
- Prohibiting cost sharing for insulin for enrollees under age 21

Cost Containment

- Amending the authority of the Prescription Drug Price Accountability Board
- Improving consumer affordability through the Health Care Cost Transparency Board
- Prohibiting anti-competitive clauses in health care provider contracting
- Establishes requirements and review of hospital mergers, acquisitions, or contracting affiliations
- Establishing excise tax on certain hospitals to fund health care access

Sponsorship

- Creating a worker health care premium assistance program to help residents losing employer-based insurance resulting from a labor dispute

Bills of Interest to the Exchange (Did Not Pass)

Personal Data Rights

- Regulating collection and use of personal and biometric information

Washington Health Trust

- Establishing a single-payer insurance program providing universal health care to Washington residents funded through payroll and capital gains taxes.

Whole WA Digital Experience

- Creating a work group to developing a mobile app intended to connect Washington residents with government/service providers

Personnel Records Access

- Updating procedures for furnishing employee personnel records

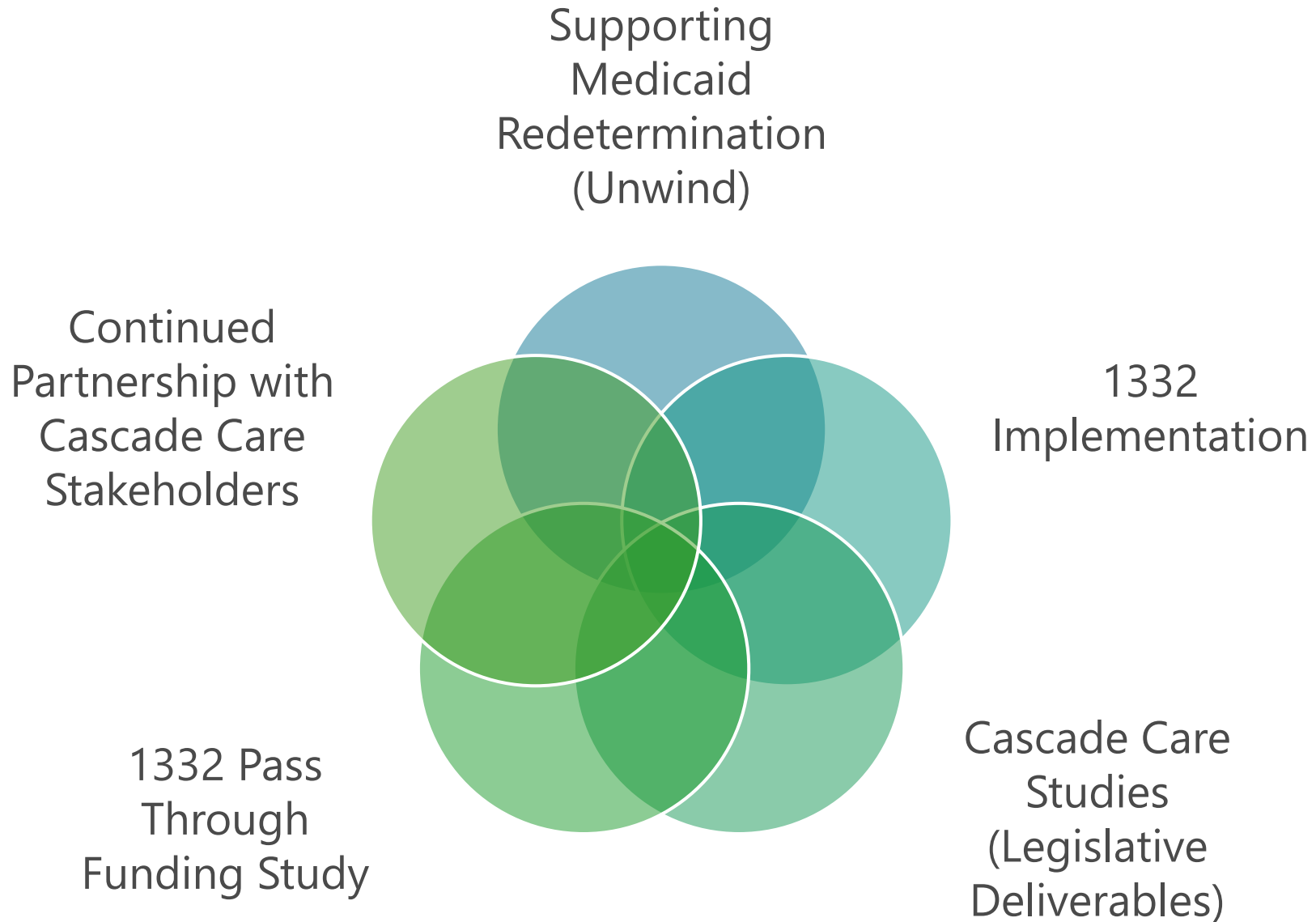
Nothing About Us Without Us

- Requiring representation of individuals with direct lived experience in membership of certain multi-member task force, work group, or advisory committee

Upcoming Activities



Interim Work



Questions?



Appendix



Exchange Bills of Interest (Passed)

Coverage Mandates	
<u>SSB 5338</u>: Essential health benefit. (Cleveland)	Directs OIC to review essential health benefits benchmark health plan for possible modification and study impacts of including coverage for certain new benefits. (Assumption: benchmark update submission in 2024 for plan year 2026.)
<u>HB 1626</u>: Colorectal screening tests. (Bronoske)	Requires medical assistance programs to cover noninvasive preventive colorectal cancer screenings and colonoscopies performed from a positive test result beginning Jan. 1, 2024.
<u>ESHB 1222</u>: Hearing instruments coverage. (Orwall)	Requires non-grandfathered, large group health plans to cover hearing instruments and modifies current coverage requirements for public employee health plans starting Jan. 1, 2024.
Cost Sharing Mandates	
<u>SB 5242</u>: Abortion cost sharing. (Cleveland)	Prohibits cost sharing for abortion for health plans issued or renewed on/after Jan. 1, 2024.
<u>SSB 5300</u>: Behavioral health continuity. (Dhingra)	Prohibits health plans and state purchased health care programs from substituting nonpreferred drugs behavioral health or serious mental illness prescriptions starting Jan. 1, 2025.
<u>SSB 5396</u>: Breast exam cost sharing. (Wilson, L.)	Prohibits cost sharing for diagnostic and supplemental breast exams for non-grandfathered health plans issued or renewed on/after Jan. 1, 2024.
<u>SSB 5581</u>: Maternal support services. (Muzzall)	Requires OIC, in collaboration with carriers, to develop strategies to reduce or eliminate deductibles and other cost sharing for maternity care services, including prenatal care, delivery, and postpartum care.
<u>SSB 5729</u>: Insulin cost sharing cap. (Keiser)	Removes the expiration date for the requirement of health plans to provide coverage for prescription insulin drugs for diabetes treatment capped at \$35 per 30-day supply.

Exchange Bills of Interest (Passed)

Cost Containment	
E2SHB 1357: Prior authorization. (Simmons)	Updates requirements for prior authorization processes for private health insurance, PEBB, SEBB, and Medicaid; expands reporting requirements to include prescription drug data authorization.
Health Care Oversight	
SSB 5121: Health care and behavioral health oversight committee. (Cleveland)	Expands scope of work to include behavioral health and extends the expiration date of the Joint Select Committee on Health Care Oversight to Dec. 31, 2026.
Hospital Financing	
SHB 1850: Hospital safety net. (Macri)	Revises the hospital safety net program (formerly hospital safety net assessment) to require annual assessments on in- and outpatient services, changes the payment amount to hospitals, and creates a Medicaid directed payment program for public hospitals.
Data Privacy	
ESHB 1051: Robocalls and telephone scams. (Leavitt)	Updates statutes prohibiting commercial solicitation using an auto-dialer.
ESHB 1155: Consumer health data. (Slatter / AGO)	Regulates entities that collect, process, share, and sell consumer health data and establishes consumer rights. (HBE exempt.)
ESHB 1335: Personal identifying information. (Hansen)	Prohibits publication of personal identifying information without the express consent of the subject with the intent to harm. (HBE exempt.)
2SSB 5118: Cybersecurity / ransomware. (Boehnke)	Requires Military Dept. and WaTech to establish committees to develop recommendations to strengthen cybersecurity in public and private critical infrastructure sectors.

Exchange Bills of Interest (Passed)

Language Access	
SSB 5304: Language access services/testing. (Saldana)	Requires DSHS to implement testing for language access providers and establishes a workgroup to make recommendations on interpretive service certification policies and programs.
Miscellaneous	
E2SSB 5112: Automatic voter registration. (Hunt / SOS)	Establishes and clarifies provisions for automatic voter registration for individuals applying for government services if they meet certain criteria.