
HOUSE BILL 1261

State of Washington

68th Legislature

2023 Regular Session

By Representative Walen

1 AN ACT Relating to cost sharing for diagnostic and supplemental
2 breast examinations; and adding a new section to chapter 48.43 RCW.

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

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

6 (1) Except as provided in subsection (2) of this section, for
7 nongrandfathered health plans issued or renewed on or after January
8 1, 2024, that include coverage of supplemental breast examinations
9 and diagnostic breast examinations, health carriers may not impose
10 cost sharing for such examinations.

11 (2) For a health plan that provides coverage of supplemental
12 breast examinations and diagnostic breast examinations and is offered
13 as a qualifying health plan for a health savings account, the health
14 carrier shall establish the plan's cost sharing for the coverage of
15 the services described in this section at the minimum level necessary
16 to preserve the enrollee's ability to claim tax exempt contributions
17 from their health savings account under internal revenue service laws
18 and regulations.

19 (3) For purposes of this section:

20 (a) "Diagnostic breast examination" means a medically necessary
21 and appropriate examination of the breast, including an examination

1 using diagnostic mammography, breast magnetic resonance imaging, or
2 breast ultrasound, that is used to evaluate an abnormality:
3 (i) Seen or suspected from a screening examination for breast
4 cancer; or
5 (ii) Detected by another means of examination.
6 (b) "Supplemental breast examination" means a medically necessary
7 and appropriate examination of the breast, including an examination
8 using breast magnetic resonance imaging or breast ultrasound, that
9 is: (i) Used to screen for breast cancer when there is no abnormality
10 seen or suspected; and
11 (ii) Based on personal or family medical history, or additional
12 factors that may increase the individual's risk of breast cancer.
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