
SENATE BILL 5775

State of Washington

68th Legislature

2024 Regular Session

By Senators Keiser, Cleveland, Randall, Van De Wege, Conway, Dhingra, and Kauffman

Prefiled 12/04/23.

1 AN ACT Relating to cost-sharing requirements for prescription
2 epinephrine autoinjectors; reenacting and amending RCW 41.05.017; and
3 adding a new section to chapter 48.43 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) Except as required in subsection (2) of this section, a
8 health plan issued or renewed on or after January 1, 2025, that
9 provides coverage for prescription epinephrine autoinjectors must cap
10 the total amount that an enrollee is required to pay for all covered
11 prescription epinephrine autoinjectors at an amount not to exceed \$60
12 for a two-pack of epinephrine autoinjectors, regardless of the amount
13 or type of epinephrine needed to fill the covered person's
14 prescription. Prescription epinephrine autoinjectors must be covered
15 without being subject to a deductible, and any cost sharing paid by
16 an enrollee must be applied toward the enrollee's deductible
17 obligation.

18 (2) For a health plan that provides coverage for prescription
19 epinephrine autoinjectors and is offered as a qualifying health plan
20 for a health savings account, the health carrier shall establish the
21 plan's cost sharing for the coverage required by this section at the

1 minimum level necessary to preserve the enrollee's ability to claim
2 tax exempt contributions and withdrawals from the enrollee's health
3 savings account under internal revenue service laws and regulations.

4 **Sec. 2.** RCW 41.05.017 and 2022 c 236 s 3, 2022 c 228 s 2, and
5 2022 c 10 s 2 are each reenacted and amended to read as follows:

6 Each health plan that provides medical insurance offered under
7 this chapter, including plans created by insuring entities, plans not
8 subject to the provisions of Title 48 RCW, and plans created under
9 RCW 41.05.140, are subject to the provisions of RCW 48.43.500,
10 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545,
11 48.43.550, 70.02.110, 70.02.900, 48.43.190, 48.43.083, 48.43.0128,
12 48.43.780, 48.43.435, 48.43.815, section 1 of this act, and chapter
13 48.49 RCW.

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