

(5) As used in this section, "sexual intercourse" has the same meaning as in RCW 9A.44.010(1).

(6) Incest in the first degree is a class B felony.

~~((6))~~ (7) Incest in the second degree is a class C felony.

Passed the Senate February 20, 1985.

Passed the House April 9, 1985.

Approved by the Governor April 17, 1985.

Filed in Office of Secretary of State April 17, 1985.

CHAPTER 54

[Substitute Senate Bill No. 3989]

INSURANCE—LUMPECTOMIES, MASTECTOMIES, RECONSTRUCTIVE SURGERIES

AN ACT Relating to insurance; amending RCW 48.20.395, 48.21.230, 48.44.330, and 48.46.280; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 48.20 RCW to read as follows:

No person engaged in the business of insurance under this chapter may refuse to issue any contract of insurance or cancel or decline to renew the contract solely because of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously. The amount of benefits payable, or any term, rate, condition, or type of coverage shall not be restricted, modified, excluded, increased, or reduced solely on the basis of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously.

NEW SECTION. Sec. 2. A new section is added to chapter 48.21 RCW to read as follows:

No person engaged in the business of insurance under this chapter may refuse to issue any contract of insurance or cancel or decline to renew the contract solely because of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously. The amount of benefits payable, or any term, rate, condition, or type of coverage shall not be restricted, modified, excluded, increased, or reduced solely on the basis of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously.

NEW SECTION. Sec. 3. A new section is added to chapter 48.44 RCW to read as follows:

No health care service contractor under this chapter may refuse to issue any contract or cancel or decline to renew the contract solely because of

a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously. The amount of benefits payable, or any term, rate, condition, or type of coverage shall not be restricted, modified, excluded, increased, or reduced solely on the basis of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously.

NEW SECTION. Sec. 4. A new section is added to chapter 48.46 RCW to read as follows:

No health maintenance organization under this chapter may refuse coverage or cancel or decline coverage solely because of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously. The amount of benefits payable, or any term, rate, condition, or type of coverage shall not be restricted, modified, excluded, increased, or reduced solely on the basis of a mastectomy or lumpectomy performed on the insured or prospective insured more than five years previously.

Sec. 5. Section 1, chapter 113, Laws of 1983 and RCW 48.20.395 are each amended to read as follows:

(1) Any disability insurance contract providing hospital and medical expenses and health care services delivered or issued in this state after July 24, 1983, shall provide coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness, or injury.

(2) Any disability insurance contract providing hospital and medical expenses and health care services delivered or issued in this state after the effective date of this act shall provide coverage for all stages of one reconstructive breast reduction on the nondiseased breast to make it equal in size with the diseased breast after definitive reconstructive surgery on the diseased breast has been performed.

Sec. 6. Section 2, chapter 113, Laws of 1983 and RCW 48.21.230 are each amended to read as follows:

(1) Each group disability insurance contract issued or renewed after July 24, 1983, which insures for hospital or medical care shall provide coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness, or injury.

(2) Each group disability insurance contract issued or renewed after the effective date of this act which insures for hospital or medical care shall provide coverage for all stages of one reconstructive breast reduction on the nondiseased breast to make it equal in size with the diseased breast after definitive reconstructive surgery on the diseased breast has been performed.

Sec. 7. Section 3, chapter 113, Laws of 1983 and RCW 48.44.330 are each amended to read as follows:

(1) Each contract for health care entered into or renewed after July 24, 1983, between a health care services contractor and the person or persons to receive the care shall provide coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness, or injury.

(2) Each contract for health care entered into or renewed after the effective date of this act between a health care services contractor and the person or persons to receive the care shall provide coverage for all stages of one reconstructive breast reduction on the nondiseased breast to make it equal in size with the diseased breast after definitive reconstructive surgery on the diseased breast has been performed.

Sec. 8. Section 4, chapter 113, Laws of 1983 and RCW 48.46.280 are each amended to read as follows:

(1) Any health care service plan issued, amended, or renewed after July 24, 1983, shall provide coverage for reconstructive breast surgery resulting from a mastectomy which resulted from disease, illness, or injury.

(2) Any health care service plan issued, amended, or renewed after the effective date of this act shall provide coverage for all stages of one reconstructive breast reduction on the nondiseased breast to make it equal in size with the diseased breast after definitive reconstructive surgery on the diseased breast has been performed.

NEW SECTION: Sec. 9. This act shall take effect January 1, 1986.

Passed the Senate March 18, 1985.

Passed the House April 8, 1985.

Approved by the Governor April 17, 1985.

Filed in Office of Secretary of State April 17, 1985.

CHAPTER 55

[Substitute Senate Bill No. 4138]

INSURANCE HOLDING COMPANY ACQUISITIONS

AN ACT Relating to insurance holding company systems; amending RCW 48.31A.020 and 48.31A.050; adding a new section to chapter 48.31A RCW; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 4, chapter 13, Laws of 1971 ex. sess. as amended by section 2, chapter 46, Laws of 1983 and RCW 48.31A.020 are each amended to read as follows:

No person other than the issuer or an affiliate of the issuer shall exchange securities for or otherwise acquire, any voting security or any security convertible into a voting security of a domestic insurer or of any other person controlling a domestic insurer if, as a result of the consummation thereof, that person would directly or indirectly, acquire actual control of the insurer unless: