

Substitute House Bill No. 1465 establishes a statewide schedule for determining child support payments. This legislation is in the best interest of children, for it will result in support payments which more closely reflect the cost of raising children.

A veto of section 17(1) through (4), will retain language adopted in 1987 at the request of the Department of Social and Health Services and upon the recommendation of the Governor's Executive Task Force on Support Enforcement. It makes access to court easier for correcting unintended and unforeseen inequities in child support orders. This section was included in the legislation based on a fear that improved access to the courts would result in an unmanageable increase in the number of actions brought to the court. The Office of the Administrator for the Courts has determined that this increase has not occurred in Washington to date or in other states which have had similar laws for a longer time.

With the exception of section 17(1) through (4), Substitute House Bill No. 1465 is approved."

CHAPTER 276

[Second Substitute Senate Bill No. 5378]

PRENATAL TESTING

AN ACT Relating to prenatal testing for heritable and congenital disorders; adding a new chapter to Title 70 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; adding a new section to chapter 70.54 RCW; providing an effective date; and providing an expiration date.

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

NEW SECTION. Sec. 1. The legislature finds that the availability and competent utilization of certain prenatal tests for congenital and heritable disorders is crucial to protect the health of both mothers and infants. The legislature further finds that the public health, safety, and welfare will be protected by promoting the performance of these tests and the obtaining of data on the utilization of these tests.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise the definitions in this section apply throughout this chapter.

(1) "Department" means the department of social and health services.

(2) "Laboratory" means a private or public agency or organization performing prenatal tests for congenital and heritable disorders.

(3) "Prenatal tests" means any test that predicts congenital or heritable disorders which: (a) As determined by the state board of health can by improper utilization clearly harm or endanger the health, safety, or welfare of the public, and the potential harm is easily recognizable and not remote or dependent upon tenuous argument, and (b) are enumerated by the department by rule.

(4) "Secretary" means the secretary of social and health services.

NEW SECTION. Sec. 3. The department shall adopt rules establishing requirements for the reporting and other activities required by this chapter. The department shall adopt rules in accordance with the administrative procedure act, chapter 34.04 RCW. In adopting rules the department shall consult with the prenatal test advisory committee.

NEW SECTION. Sec. 4. (1) The prenatal test advisory committee is formed to advise the department on developing prenatal test reporting rules. The advisory committee shall develop recommendations to address:

(a) Obtaining of data on availability of prenatal tests to all pregnant women without regard to age, race, socio-economic status and geographic location;

(b) Obtaining of data on utilization of prenatal tests by pregnant women in relation to age, race, socio-economic status and geographic location;

(c) Obtaining of data from laboratories performing prenatal tests on volume of tests performed, abnormal test results obtained and fees charged;

(d) Obtaining of data on standardization of prenatal tests offered to pregnant women in regard to laboratory procedures, test result reporting and recommendations for follow-up of abnormal results;

(e) Suggested guidelines to facilitate coordination with existing prenatal testing programs of the department; and

(f) Provision of educational materials to physicians or others licensed to provide prenatal care to women for distribution to women at appropriate times in their pregnancies.

(2) The prenatal test advisory committee shall be appointed by the secretary whose members shall be representative of the following groups:

(a) Obstetricians;

(b) Radiologists;

(c) Medical geneticists;

(d) Pediatricians;

(e) The developmentally disabled; and

(f) Laboratories performing prenatal tests.

(3) The prenatal test advisory committee shall serve at the pleasure of the secretary. Advisory committee members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 5. A new section is added to chapter 70.54 RCW to read as follows:

All persons licensed or certified by the state of Washington to provide prenatal care or to practice medicine shall provide information regarding the use and availability of prenatal tests to all pregnant women in their care within the time limits prescribed by department rules and in accordance with standards established by those rules.

NEW SECTION. Sec. 6. A new section is added to chapter 48.21 RCW to read as follows:

On or after January 1, 1990, every group disability contract entered into or renewed that covers hospital, medical, or surgical expenses on a group basis, and which provides benefits for pregnancy, childbirth, or related medical conditions to enrollees of such groups, shall offer benefits for prenatal diagnosis of congenital disorders of the fetus by means of screening

and diagnostic procedures during pregnancy to such enrollees when those services are determined to be medically necessary by the disability contractor in accord with standards set in rule by the board of health. Every group disability contractor shall communicate the availability of such coverage to all group disability contract holders and to all groups with whom they are negotiating.

NEW SECTION. Sec. 7. A new section is added to chapter 48.44 RCW to read as follows:

On or after January 1, 1990, every group health care services contract entered into or renewed that covers hospital, medical, or surgical expenses on a group basis, and which provides benefits for pregnancy, childbirth, or related medical conditions to enrollees of such groups, shall offer benefits for prenatal diagnosis of congenital disorders of the fetus by means of screening and diagnostic procedures during pregnancy to such enrollees when those services are determined to be medically necessary by the health care service contractor in accord with standards set in rule by the board of health. Every group health care services contractor shall communicate the availability of such coverage to all group health care service contract holders and to all groups with whom they are negotiating.

NEW SECTION. Sec. 8. A new section is added to chapter 48.46 RCW to read as follows:

On or after January 1, 1990, every group health maintenance agreement entered into or renewed that covers hospital, medical, or surgical expenses and which provides benefits for pregnancy, childbirth, or related medical conditions to enrollees of such groups, shall offer benefits for prenatal diagnosis of congenital disorders of the fetus by means of screening and diagnostic procedures during pregnancy to such enrollees when those services are determined to be medically necessary by the health maintenance organization in accord with standards set in rule by the board of health: **PROVIDED**, That such procedures shall be covered only if rendered directly by the health maintenance organization or upon referral by the health maintenance organization. Every group health maintenance organization shall communicate the availability of such coverage to all groups covered and to all groups with whom they are negotiating.

NEW SECTION. Sec. 9. The carrier or provider of any group disability contract, health care services contract or health maintenance agreement shall not cancel, reduce, limit or otherwise alter or change the coverage provided solely on the basis of the result of any prenatal test.

NEW SECTION. Sec. 10. Section 5 of this act shall take effect December 31, 1989.

NEW SECTION. Sec. 11. Sections 1 through 4 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 12. Sections 1 through 4 of this act shall expire June 30, 1993, unless extended by law for an additional fixed period of time.

Passed the Senate March 8, 1988.

Passed the House March 6, 1988.

Approved by the Governor March 24, 1988.

Filed in Office of Secretary of State March 24, 1988.

CHAPTER 277

[Engrossed Substitute Senate Bill No. 5669]

DIETITIANS AND NUTRITIONISTS

AN ACT Relating to certification of dietitians and nutritionists; reenacting and amending RCW 18.120.020 and 18.130.040; adding a new chapter to Title 18 RCW; prescribing penalties; and making an appropriation.

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

NEW SECTION. Sec. 1. (1) "Dietetics" is the integration and application of scientific principles of food, nutrition, biochemistry, physiology, management, and behavioral and social sciences in counseling people to achieve and maintain health. Unique functions of dietetics include, but are not limited to:

(a) Assessing individual and community food practices and nutritional status using anthropometric, biochemical, clinical, dietary, and demographic data for clinical, research, and program planning purposes;

(b) Establishing priorities, goals, and objectives that meet nutritional needs and are consistent with available resources and constraints;

(c) Providing nutrition counseling and education as components of preventive, curative, and restorative health care;

(d) Developing, implementing, managing, and evaluating nutrition care systems; and

(e) Evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition care services.

(2) "General nutrition services" means the counseling and/or educating of groups or individuals in the selection of food to meet normal nutritional needs for health maintenance, which includes, but is not restricted to:

(a) Assessing the nutritional needs of individuals and groups by planning, organizing, coordinating, and evaluating the nutrition components of community health care services;

(b) Supervising, administering, or teaching normal nutrition in colleges, universities, clinics, group care homes, nursing homes, hospitals, private industry, and group meetings.

(3) "Certified dietitian" means any person certified to practice dietetics under this chapter.

(4) "Certified nutritionist" means any person certified to provide general nutrition services under this chapter.