

Sec. 9. Section 15, chapter 431, Laws of 1987 and RCW 48.41.150 are each amended to read as follows:

(1) The board shall offer a medical supplement policy for persons receiving medicare (~~((benefits))~~) parts A and B. The supplement policy shall provide (~~((coverage))~~) benefits of one hundred percent of the deductible and copayment required under medicare and eighty percent of the charges for covered services under this chapter that are not paid by medicare. The coverage shall include a limitation of one thousand dollars per person on total annual out-of-pocket expenses for the covered services.

(2) If federal law is adopted that addresses this subject, the board shall offer a policy that is consistent with that federal law.

Sec. 10. Section 19, chapter 431, Laws of 1987 and RCW 48.41.190 are each amended to read as follows:

Neither the participation by members, the establishment of rates, forms, or procedures for coverages issued by the pool, nor any other joint or collective action required by this chapter or the state of Washington shall be the basis of any legal action, civil or criminal liability or penalty against the pool, any member of the board of directors, or members of ~~((it))~~ the pool either jointly or separately.

Passed the House March 2, 1989.

Passed the Senate April 7, 1989.

Approved by the Governor April 20, 1989.

Filed in Office of Secretary of State April 20, 1989.

CHAPTER 122

[Senate Bill No. 5824]

HEALTH CARE SERVICES—PAYMENTS—JOINTLY ISSUED CHECKS— PROVIDER TO BE FIRST PAYEE

AN ACT Relating to payments by health care service contractors; and amending RCW 48.44.026.

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

Sec. 1. Section 1, chapter 168, Laws of 1982 as amended by section 1, chapter 283, Laws of 1984 and RCW 48.44.026 are each amended to read as follows:

Checks in payment for claims pursuant to any health care service contract for health care services provided by persons licensed or regulated under chapters 18.22, 18.25, 18.29, 18.32, 18.53, 18.57, 18.64, 18.71, 18.73, 18.74, 18.83, or 18.88 RCW, where the provider is not a participant under a contract with the health care service contractor, shall be made out to both the provider and the insured with the provider as the first named payee, jointly, to require endorsement by each: PROVIDED, That payment shall be made in the single name of the insured if the insured as part of his or her

claim furnishes evidence of prepayment to the health care service provider: AND PROVIDED FURTHER, That nothing in this section shall preclude a health care service contractor from voluntarily issuing payment in the single name of the provider.

- Passed the Senate March 9, 1989.
- Passed the House April 6, 1989.
- Approved by the Governor April 20, 1989.
- Filed in Office of Secretary of State April 20, 1989.

CHAPTER 123

[Substitute Senate Bill No. 5886]

SEXUALLY TRANSMITTED DISEASES—EXCHANGE OF CONFIDENTIAL MEDICAL INFORMATION

AN ACT Relating to the exchange among health care providers of confidential medical information regarding sexually transmitted diseases and permitting the exchange of such information among persons responsible for making case management, case planning, or foster care decisions regarding a child fourteen years old or younger; and amending RCW 70.24.105.

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

Sec. 1. Section 904, chapter 206, Laws of 1988 and RCW 70.24.105 are each amended to read as follows:

(1) No person may disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for a sexually transmitted disease, except as authorized by this chapter.

(2) No person may disclose or be compelled to disclose the identity of any person upon whom ~~((a test for a sexually transmitted disease is performed, or the results of such a test or any information relating to diagnosis of or treatment for a sexually transmitted disease in a manner which permits identification of the subject of the test, diagnosis, or treatment except to the following persons))~~ an HIV antibody test is performed, or the results of such a test, nor may the result of a test for any other sexually transmitted disease when it is positive be disclosed. This protection against disclosure of test subject, diagnosis, or treatment also applies to any information relating to diagnosis of or treatment for HIV infection and for any other confirmed sexually transmitted disease. The following persons, however, may receive such information:

(a) The subject of the test or the subject's legal representative for health care decisions in accordance with RCW 7.70.065, with the exception of such a representative of a minor child over fourteen years of age and otherwise competent;

(b) Any person who secures a specific release of test results or information relating to HIV (or confirmed diagnosis of or treatment for any other sexually transmitted disease executed by the subject ~~((of the test))~~ or the