

Transplant benefits - April 2009

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Most health plans treat waiting periods for pre-existing conditions and transplants differently.

If someone changes health plans, they get credit for satisfying the pre-existing waiting period, but not for the transplant waiting period.

This bill ensures that time spent waiting for a transplant carries over to the person's new health plan.

What this bill will do

Protects consumers who need a transplant if they switch insurance plans.

Background

Most insurance companies impose waiting periods before a new policyholder is covered for certain pre-existing conditions. They also may have waiting periods for transplants.

If an employer or an individual changes health plans and the new coverage begins within 90 days, then the prior coverage counts towards the new plan's pre-existing condition waiting period. However, if a person needs a transplant, their previous coverage may not count and they may have to go through another full waiting period.

The problem

Most employees don't have a choice when their employer switches their health plan. While most benefit waiting periods are protected if they get new coverage within 90 days, transplants are not. Transplant patients may be required to endure a second waiting period through no fault of their own.

1,046 people are on the transplant list in Washington state. Last year, at least two of them faced a second waiting period because their employer changed health plans. A Spokane man waited several years for a liver transplant and was near the top of the list when he learned that his employer's new health plan had a six-month exclusion for transplants.

The solution

Most carriers do the right thing and waive the additional waiting period for transplants – this is what happened in the two cases cited above. However, a legislative fix is necessary to close this loophole in the law.

This bill applies the same standards that both pre-existing condition waiting periods and transplant waiting periods. If a person has less than a 90-day break in health coverage, the amount of time spent waiting for a transplant under the old health plan must carry over to the new health plan.

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