

RCW 70.24.325 Testing—Insurance requirements. (1) This section shall apply to consent for blood-borne pathogen testing administered as part of an application for coverage authorized under Title 48 RCW.

(2) Persons subject to regulation under Title 48 RCW who are requesting an insured, a subscriber, or a potential insured or subscriber to furnish the results of a blood-borne pathogen test for underwriting purposes as a condition for obtaining or renewing coverage under an insurance contract, health care service contract, or health maintenance organization agreement shall:

(a) Provide written information to the individual prior to being tested which explains which blood-borne pathogen test is being administered; and that the purpose of blood-borne pathogen testing in this setting is to determine eligibility for coverage.

(b) Obtain informed specific written consent for the blood-borne pathogen test or tests. The written informed consent shall include an explanation of the confidential treatment of the test results which limits access to the results to persons involved in handling or determining applications for coverage or claims of the applicant or claimant.

(c) Establish procedures to inform an applicant of the following:

(i) That the applicant may designate a health care provider or health care agency to whom the insurer, the health care service contractor, or health maintenance organization will provide test results indicative of infection with a blood-borne pathogen for interpretation; and

(ii) That test results indicative of infection with a blood-borne pathogen will be sent directly to the applicant. [2020 c 76 s 12; 1989 c 387 s 1.]