

# FINAL BILL REPORT

## SHB 1469

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C 409 L 93  
Synopsis as Enacted

**Brief Description:** Clarifying that the department of social and health services is not required to reimburse certain health care costs under the limited casualty program.

By House Committee on Corrections (originally sponsored by Representatives L. Johnson, Morris, Long and Thibaudeau).

House Committee on Corrections  
Senate Committee Health & Human Services

**Background:** The Department of Social and Health Services (DSHS) is required to reimburse a city or county for the cost of medical treatment provided to jail inmates. Inmates in public institutions are ineligible for Medicaid.

Until recently, DSHS paid for jail inmates' hospital costs to the extent that money was available in the Limited Casualty Program for the Medically Indigent (LCP-MI). The LCP-MI is a program of last resort entirely funded by monies appropriated by the state Legislature. The Washington State Supreme Court recently held that the mandatory requirement to reimburse cities and counties for medical costs of jail inmates was not limited to the amount of funds available in the LCP-MI.

**Summary:** The Department of Social and Health Services is required to directly reimburse the provider of emergency or necessary health care to jail inmates in accordance with rates and benefits established by the department, if the inmate is eligible for the department's medical care programs. After payment is made by the department, the financial responsibility for any unpaid balance, including the deductible that is necessary for client eligibility for the program, is divided equally between the medical care provider and the local government unless the medical care provider and local government have reached a different agreement for sharing the unpaid balance. Total payments from all sources to the medical care providers may not exceed the amount that the department would have paid if the inmate was eligible for Title XIX Medicaid, unless additional resources are obtained from the inmate.

A city or county is required, as part of booking an inmate into jail, to obtain information concerning the inmate's

ability to pay for medical care. This information must be made available to the department, the local government, and the provider of medical care.

Civil or criminal remedies may be pursued to recover the costs of medical care provided to jail inmates. A court may order a defendant to pay all or part of the medical costs incurred while in jail as part of a sentence.

**Votes on Final Passage:**

House	67	31	
Senate	44	0	(Senate amended)
House	72	25	(House concurred)

**Effective:** May 15, 1993