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**SENATE BILL 5693**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Miloscia, Darneille, Fraser, and O'Ban; by request of Department of Social and Health Services

AN ACT Relating to reducing the costs of state health care expenses for residents committed to the special commitment center operated by the department of social and health services; and amending RCW 71.09.085.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 71.09.085 and 2002 c 58 s 1 are each amended to read as follows:

(1) Notwithstanding any other provisions of law, the secretary may enter into contracts with health care practitioners, health care facilities, and other entities or agents as may be necessary to provide basic medical care to residents. The contracts shall not cause the termination of classified employees of the department rendering the services at the time the contract is executed.

(2) In contracting for services, the secretary is authorized to provide for indemnification of health care practitioners who cannot obtain professional liability insurance through reasonable effort, from liability on any action, claim, or proceeding instituted against them arising out of the good faith performance or failure of performance of services on behalf of the department. The contracts may provide that for the purposes of chapter 4.92 RCW only, those health care practitioners with whom the department has contracted shall be considered state employees.

(3) To the extent that federal law allows and financial participation is available, the secretary or secretary’s designee is authorized to act on behalf of a civilly committed resident for the purposes of applying for medicare and medicaid benefits, veterans health benefits, or other health care benefits or reimbursement available as a result of participation in a health care exchange as defined by the affordable care act.

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