

SENATE BILL REPORT

HB 1299

As Reported By Senate Committee On:
Human Services & Corrections, March 18, 1999

Title: An act relating to extraordinary medical releases for offenders.

Brief Description: Authorizing the secretary of corrections to grant extraordinary medical releases to offenders when specified conditions are met.

Sponsors: Representatives Ballasiotes, O'Brien, Lambert, Kastama, Esser and Schual-Berke; by request of Sentencing Guidelines Commission.

Brief History:

Committee Activity: Human Services & Corrections: 3/18/99 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Kohl-Welles, Long, Sheahan and Stevens.

Staff: Aldo Melchiori (786-7439)

Background: The 1998 Legislature directed the Sentencing Guidelines Commission to study and report regarding the feasibility and desirability of permitting older or physically infirm offenders to be released from confinement. The purpose was to identify whether medical treatment with resources other than state funds would be appropriate.

A work group was established to conduct research and consult with the appropriate state agencies. The proposed legislative changes have been reviewed and formally approved by the full Sentencing Guidelines Commission.

Summary of Amended Bill: The Secretary of Corrections may authorize the extraordinary medical placement of an offender if the offender's medical condition requires costly treatment, the risk to public safety is negligible due to the offender's physical incapacitation, and the state would realize a cost benefit. Electronic monitoring is mandatory unless it interferes with medical equipment or results in a loss of funding for medical care. Offenders sentenced to death or life imprisonment without the possibility of parole are not eligible under any circumstances.

The secretary reports annually to the Legislature.

Amended Bill Compared to Original Bill: In the striking amendment, extraordinary medical release— is changed to extraordinary medical placement— to reflect that the offenders are not being released, they are being placed in a more medically appropriate

setting. Electronic monitoring is mandatory unless it interferes with medical equipment or results in a loss of funding for medical care.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This would allow the state to save money without affecting the risk to the public. Offenders may then be able to access funds from private insurance, Medicaid and veteran's benefits.

Testimony Against: None.

Testified: PRO: Representative Ballasiotes, prime sponsor; Roger Goodman, Sentencing Guidelines Commission; James Thatcher, DOC.