
SUBSTITUTE SENATE BILL 5024

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Long, Smith, Winsley, McCaslin, Rasmussen, Bauer, Schow and Oke; by request of Department of Corrections)

Read first time 02/03/95.

1 AN ACT Relating to health care services for offenders; amending RCW
2 72.10.020 and 72.10.010; adding new sections to chapter 72.10 RCW; and
3 creating a new section.

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

5 **Sec. 1.** RCW 72.10.020 and 1989 c 157 s 3 are each amended to read
6 as follows:

7 (1) The department may develop and implement a health services plan
8 for the delivery of health care services to ((inmates)) offenders in
9 the department's ((custody)) correctional facilities, at the discretion
10 of the secretary, and in conformity with state and federal law.

11 (2) In order to discourage the unwarranted use of health care
12 services caused by unnecessary visits to health care providers,
13 offenders shall participate in the costs of their health care services
14 by paying a nominal amount of no less than three dollars per visit,
15 determined by the secretary. Pursuant to the authority granted in RCW
16 72.01.050(2), the secretary may authorize the superintendent to collect
17 this amount for health care services directly from an offender's
18 institution account. All copayments collected from offenders'
19 institution accounts shall be deposited into the general fund.

1 (3) Offenders are required to make copayments for health care
2 visits that are offender initiated. Offenders are not required to pay
3 for emergency treatment or for visits initiated by health care staff or
4 treatment of those conditions that constitute a serious health care
5 need.

6 (4) No offender may be refused any health care service because of
7 indigence.

8 (5) At no time shall the withdrawal of funds for the payment of a
9 medical service copayment result in reducing an offender's institution
10 account to an amount less than the defined level of indigency as
11 determined by the department. When an offender's institution account
12 contains less money than the defined level of indigency at the time a
13 copayment is assessed, the assessment shall be recorded as an
14 outstanding debt and may be collected from an offender's institution
15 account at any time sufficient funds become available.

16 **Sec. 2.** RCW 72.10.010 and 1989 c 157 s 2 are each amended to read
17 as follows:

18 As used in this chapter:

19 (1) "Department" means the department of corrections.

20 (2) "Health care practitioner" means an individual or firm licensed
21 or certified to actively engage in a regulated health profession.

22 (3) "Health profession" means and includes those licensed or
23 regulated professions set forth in RCW 18.120.020(4).

24 (4) "Health care facility" means any hospital, hospice care center,
25 licensed or certified health care facility, health maintenance
26 organization regulated under chapter 48.46 RCW, federally qualified
27 health maintenance organization, renal dialysis center or facility
28 federally approved under 42 CFR 405.2100, or blood bank federally
29 licensed under 21 CFR 607.

30 (5) "Health care services" means and includes medical, dental, and
31 mental health care services.

32 (6) "Secretary" means the secretary of the department of
33 corrections.

34 (7) "Superintendent" means the superintendent of a correctional
35 facility under the jurisdiction of the Washington state department of
36 corrections.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 72.10 RCW
2 to read as follows:

3 No later than October 1, 1996, and every year thereafter, the
4 department shall report to the appropriate standing committees of the
5 house of representatives and the senate the following information for
6 the preceding fiscal year: (1) The total number of health care visits
7 made by offenders; (2) the total number of copayments assessed; (3) the
8 total dollar amount of copayments collected; (4) the total number of
9 copayments that were not assessed or collected due to an offender's
10 indigence; and (5) the total number of copayments that were not
11 assessed due to the serious or emergent nature of the health care
12 treatment, or because the health care visit was not offender initiated.
13 The first report prepared by the department need not include
14 information from the entire preceding fiscal year but shall include, at
15 a minimum, all available information collected during the second half
16 of fiscal year 1996.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 72.10 RCW
18 to read as follows:

19 Upon entry into the adult correctional system, offenders shall
20 receive an initial medical examination. The department shall prepare
21 a health profile for each offender that includes at least the following
22 information: (1) An identification of the offender's serious medical
23 and dental needs; (2) an evaluation of the offender's capacity for work
24 and recreation; and (3) a financial assessment of the offender's
25 ability to pay for all or a portion of his or her health care services
26 from personal resources or private insurance.

27 NEW SECTION. **Sec. 5.** The department shall adopt rules to
28 implement this act.

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