

2 **2SSB 5127** - H COMM AMD **ADOPTED AS AMD 4-11-97**  
3 By Committee on Finance

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.168  
8 RCW to read as follows:

9 The department shall establish by rule a grant program for  
10 designated trauma care services. The grants shall be made from the  
11 emergency medical services and trauma care system trust account and  
12 shall require regional matching funds. The trust account funds and  
13 regional match will be in a seventy-five to twenty-five percent ratio.

14 **Sec. 2.** RCW 70.168.040 and 1990 c 269 s 17 are each amended to  
15 read as follows:

16 The emergency medical services and trauma care system trust account  
17 is hereby created in the state treasury. Moneys shall be transferred  
18 to the emergency medical services and trauma care system trust account  
19 from the public safety education account or other sources as  
20 appropriated, and as collected under section 3 of this act and RCW  
21 46.61.5054(3) and 46.63.110(6). Disbursements shall be made by the  
22 department subject to legislative appropriation. Expenditures may be  
23 made only for the purposes of the state trauma care system under this  
24 chapter, including emergency medical services, trauma care services,  
25 rehabilitative services, and the planning and development of related  
26 services under this chapter.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW  
28 to read as follows:

29 In addition to any other fees, fines, or penalties imposed under  
30 this chapter, any person who is convicted, sentenced to a lesser  
31 charge, or given deferred prosecution, as a result of an arrest for  
32 violating any provision of this chapter other than RCW 46.61.502,  
33 46.61.504, 46.61.520, or 46.61.522, shall be assessed a fee of forty-  
34 five dollars. Revenue from this fee shall be forwarded to the state

1 treasurer for deposit in the emergency medical services and trauma care  
2 system trust account under RCW 70.168.040. The public safety and  
3 education assessment imposed under RCW 3.62.090 does not apply to the  
4 fee imposed under this section.

5 **Sec. 4.** RCW 46.61.5054 and 1995 c 398 s 15 and 1995 c 332 s 13 are  
6 each reenacted and amended to read as follows:

7 (1)(a) In addition to penalties set forth in RCW 46.61.5051 through  
8 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a  
9 one hundred twenty-five dollar fee shall be assessed to a person who is  
10 either convicted, sentenced to a lesser charge, or given deferred  
11 prosecution, as a result of an arrest for violating RCW 46.61.502,  
12 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of  
13 funding the Washington state toxicology laboratory and the Washington  
14 state patrol for grants and activities to increase the conviction rate  
15 and decrease the incidence of persons driving under the influence of  
16 alcohol or drugs.

17 (b) Upon a verified petition by the person assessed the fee, the  
18 court may suspend payment of all or part of the fee if it finds that  
19 the person does not have the ability to pay.

20 (c) When a minor has been adjudicated a juvenile offender for an  
21 offense which, if committed by an adult, would constitute a violation  
22 of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, the court shall  
23 assess the one hundred twenty-five dollar fee under (a) of this  
24 subsection. Upon a verified petition by a minor assessed the fee, the  
25 court may suspend payment of all or part of the fee if it finds that  
26 the minor does not have the ability to pay the fee.

27 (2) The fee assessed under subsection (1) of this section shall be  
28 collected by the clerk of the court and distributed as follows:

29 (a) Forty percent shall be subject to distribution under RCW  
30 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

31 (b) The remainder of the fee shall be forwarded to the state  
32 treasurer who shall, through June 30, 1997, deposit: Fifty percent in  
33 the death investigations' account to be used solely for funding the  
34 state toxicology laboratory blood or breath testing programs; and fifty  
35 percent in the state patrol highway account to be used solely for  
36 funding activities to increase the conviction rate and decrease the  
37 incidence of persons driving under the influence of alcohol or drugs.  
38 Effective July 1, 1997, the remainder of the fee shall be forwarded to

1 the state treasurer who shall deposit: Fifteen percent in the death  
2 investigations' account to be used solely for funding the state  
3 toxicology laboratory blood or breath testing programs; and eighty-five  
4 percent in the state patrol highway account to be used solely for  
5 funding activities to increase the conviction rate and decrease the  
6 incidence of persons driving under the influence of alcohol or drugs.

7 (3) In addition to the fee imposed under subsection (1) of this  
8 section and the penalties imposed under RCW 46.61.5055, a person who is  
9 either convicted, sentenced to a lesser charge, or given deferred  
10 prosecution, as a result of an arrest for violating RCW 46.61.502,  
11 46.61.504, 46.61.520, or 46.61.522, shall be assessed a seventy-five  
12 dollar fee. Revenue from this fee shall be forwarded to the state  
13 treasurer for deposit in the emergency medical services and trauma care  
14 system trust account under RCW 70.168.040. The public safety and  
15 education assessment imposed under RCW 3.62.090 does not apply to the  
16 fee imposed under this subsection.

17 (4) Subsections (1) and (2) of this section ((applies)) apply to  
18 any offense committed on or after July 1, 1993. Subsection (3) of this  
19 section applies to any offense committed after the effective date of  
20 this section.

21 **Sec. 5.** RCW 46.63.110 and 1993 c 501 s 11 are each amended to read  
22 as follows:

23 (1) A person found to have committed a traffic infraction shall be  
24 assessed a monetary penalty. No penalty may exceed two hundred and  
25 fifty dollars for each offense unless authorized by this chapter or  
26 title.

27 (2) The supreme court shall prescribe by rule a schedule of  
28 monetary penalties for designated traffic infractions. This rule shall  
29 also specify the conditions under which local courts may exercise  
30 discretion in assessing fines and penalties for traffic infractions.  
31 The legislature respectfully requests the supreme court to adjust this  
32 schedule every two years for inflation.

33 (3) There shall be a penalty of twenty-five dollars for failure to  
34 respond to a notice of traffic infraction except where the infraction  
35 relates to parking as defined by local law, ordinance, regulation, or  
36 resolution or failure to pay a monetary penalty imposed pursuant to  
37 this chapter. A local legislative body may set a monetary penalty not  
38 to exceed twenty-five dollars for failure to respond to a notice of

1 traffic infraction relating to parking as defined by local law,  
2 ordinance, regulation, or resolution. The local court, whether a  
3 municipal, police, or district court, shall impose the monetary penalty  
4 set by the local legislative body.

5 (4) Monetary penalties provided for in chapter 46.70 RCW which are  
6 civil in nature and penalties which may be assessed for violations of  
7 chapter 46.44 RCW relating to size, weight, and load of motor vehicles  
8 are not subject to the limitation on the amount of monetary penalties  
9 which may be imposed pursuant to this chapter.

10 (5) Whenever a monetary penalty is imposed by a court under this  
11 chapter it is immediately payable. If the person is unable to pay at  
12 that time the court may, in its discretion, grant an extension of the  
13 period in which the penalty may be paid. If the penalty is not paid on  
14 or before the time established for payment the court shall notify the  
15 department of the failure to pay the penalty, and the department shall  
16 suspend the person's driver's license or driving privilege until the  
17 penalty has been paid and the penalty provided in subsection (3) of  
18 this section has been paid.

19 (6) In addition to any other penalties imposed under this section  
20 and not subject to the limitation of subsection (1) of this section, a  
21 person found to have committed a traffic infraction shall be assessed  
22 a penalty of twenty dollars. Revenue from this penalty shall be  
23 forwarded to the state treasurer for deposit in the emergency medical  
24 services and trauma care system trust account under RCW 70.168.040.  
25 The public safety and education assessment imposed under RCW 3.62.090  
26 does not apply to the penalty imposed under this subsection.

27 NEW SECTION. Sec. 6. The legislature finds as follows:

28 Emergency medical services and trauma care are provided to all  
29 residents of the state regardless of a person's ability to pay.  
30 Historically, hospitals and health care providers have been able to  
31 recover some of their financial losses incurred in caring for an  
32 uninsured or underinsured person by charging persons able to pay more.  
33 In recent years, the health care industry has undergone substantial  
34 changes. With the advent of managed health care programs and the  
35 adoption of new cost control measures, some hospitals and health care  
36 providers assert that it is difficult to shift costs for uninsured and  
37 underinsured patients onto insured patients.

1 In 1990 the legislature established a coordinated trauma care  
2 system. Part of the 1990 legislation included funding for a study to  
3 determine the extent to which trauma care is uncompensated and  
4 undercompensated. This study focused exclusively on trauma care. The  
5 legislature finds that, as a prerequisite to determining the amount of  
6 state aid that may be necessary to assist health care providers and  
7 facilities, it is necessary to examine trauma care losses within the  
8 context of a health care provider or facility's total financial  
9 operations.

10 NEW SECTION. **Sec. 7.** The department of health shall conduct a  
11 financial study of health care facilities, physicians, and surgeons who  
12 provide trauma care.

13 (1) For health care facilities providing trauma care, the study  
14 shall:

15 (a) Examine costs, charges, actual expenses, and levels of  
16 reimbursement associated with all services provided by health care  
17 facilities.

18 (b) Analyze which types of services generate income for health care  
19 facilities and which types of services result in an income loss.

20 (c) Review grants, contributions, and other income received by  
21 health care facilities that are not fee-for-service revenues.

22 (d) Compare and contrast financial statements for health care  
23 facilities providing trauma care to determine if the overall financial  
24 condition of such facilities has worsened, improved, or held constant  
25 over the last five years.

26 (2) For physicians and surgeons providing trauma care, the study  
27 shall:

28 (a) Determine whether total salaries and other compensation paid to  
29 physicians and surgeons providing trauma care has increased, decreased,  
30 or held the same over the last five years.

31 (b) Compare if salary and compensation trends over the last five  
32 years differ for physicians and surgeons providing trauma care from  
33 salary and compensation trends for the state's physicians and surgeons  
34 as an entire group.

35 NEW SECTION. **Sec. 8.** (1) To perform this study, the department  
36 shall form an advisory committee. The advisory committee shall include  
37 two members of the house of representatives to be appointed by the

1 speaker of the house of representatives and two members of the senate  
2 to be appointed by the president of the senate. The advisory committee  
3 may also include members of the emergency medical services and trauma  
4 care steering committee, as well as health care financial experts from  
5 the academic, financial, and medical communities, to be appointed by  
6 the department of health.

7 (2) The department of health shall provide staff for the purpose of  
8 the study.

9 (3) The department of health shall present a final report of the  
10 findings of the study to the committees of the legislature that deal  
11 with health and revenue matters by December 31, 1997.

12 NEW SECTION. **Sec. 9.** Sections 1 through 5 of this act take effect  
13 January 1, 1998."

14 Correct the title accordingly.

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