

Chapter 137-75 WAC

JAIL AND MEDICAL COST REIMBURSEMENT TO CITIES AND COUNTIES

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WAC 137-75-010 Purpose. Chapter 70.48 RCW as amended by chapter 235, Laws of 1984, imposes certain financial responsibility on the department of corrections for certain persons imprisoned in a city or county jail. The purpose of these rules is to establish procedures by which the department of corrections will discharge said financial responsibility.

[Statutory Authority: RCW 72.01.090 and 1984 c 235. 84-15-053 (Order 84-09), § 137-75-010, filed 7/17/84, effective 9/2/84.]

WAC 137-75-020 Definitions. As used in this chapter, the following words shall have the following meanings:

- (1) "Secretary" shall mean the secretary of the department of corrections or the secretary's designee;
- (2) "Department" shall mean the department of corrections;
- (3) "Deputy secretary" shall mean the deputy secretary, prisons division or his/her designee.
- (4) "Institution" shall mean a facility designated in RCW 72.01.050(2), any similar facility hereafter established, and a work release facility;
- (5) "Work release facility" shall mean a community residence operated pursuant to chapter 72.65 RCW;
- (6) "Jail" shall mean a city or county holding facility as defined in RCW 70.48.020(1);
- (7) "Parole hold" shall mean a detention of a person pursuant to an order of parole suspension or revocation issued in accordance with RCW 9.95.120;
- (8) All references to the singular shall include the plural, unless otherwise noted.

[Statutory Authority: RCW 72.01.090. 07-12-073, § 137-75-020, filed 6/5/07, effective 7/6/07; 03-21-088, § 137-75-020, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.01.090 and 1984 c 235. 84-15-053 (Order 84-09), § 137-75-020, filed 7/17/84, effective 9/2/84.]

WAC 137-75-030 Department financial responsibility. (1) The financial responsibility of the department under this chapter shall be limited to reimbursing cities and counties for the costs and at the rates set forth in chapter 235, Laws of 1984 or any amendment thereto hereafter enacted.

(2) The financial responsibility of the department for a person convicted of a felony as defined by RCW 9A.04.040 and committed to the care and custody of the department, but detained in a jail after June 30, 1984, shall begin upon the eighth day, excluding Saturdays, Sundays, and holidays, following the sentencing of such person for the felony and noti-

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fication to the department by the city or county that such person is available for movement to an institution, and shall terminate at midnight of the day immediately preceding the day of release of such person from detention. Provided, however, if such person is detained in the jail beyond such eight-day period pursuant to an order of a superior court, the financial responsibility of the department shall not begin until the expiration of the period ordered by the court, and shall terminate at midnight of the day immediately preceding the day of release of such person from detention. The notification required hereunder is to be given by telephone or teletype to the supervisor of the reception center at the Washington Corrections Center, Shelton, Washington.

(3) The financial responsibility of the department for a person detained in a jail solely by reason of a parole hold after June 30, 1984, shall begin upon the sixteenth day following the commencement of such detention, and shall terminate at midnight of the day immediately preceding the day of release of such person from detention. Provided, however, the department shall have no such financial responsibility if a felony charge is filed against a person so detained.

(4) The financial responsibility of the department for an inmate, as defined in RCW 72.09.020, who resides in a work release facility and who is detained in a jail after June 30, 1984, shall begin when such detention commences, and shall terminate at midnight of the day immediately preceding the day of release of such inmate from detention.

[Statutory Authority: RCW 70.48.450. 87-14-045 (Order 87-03), § 137-75-030, filed 6/30/87. Statutory Authority: RCW 72.01.090 and 1984 c 235. 84-15-053 (Order 84-09), § 137-75-030, filed 7/17/84, effective 9/2/84.]

WAC 137-75-040 Extraordinary emergency medical treatment. (1) The department shall reimburse a city or county the actual cost of extraordinary emergency medical treatment provided to a person for whom the department is financially responsible.

(2) If a person for whom the department is financially responsible requires extraordinary and emergency medical treatment, the department is to be notified by a competent medical authority of the nature and course of such treatment as far in advance as practical. The department will then authorize such treatment or advise of alternative means by which such treatment may be provided. If it is not practical to give such notice prior to such treatment, notice will be given to the department as soon as practical after such treatment has been given.

(3) The notice required shall be given to the deputy secretary.

[Statutory Authority: RCW 72.01.090. 03-21-088, § 137-75-040, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 72.01.090 and 1984 c 235. 84-15-053 (Order 84-09), § 137-75-040, filed 7/17/84, effective 9/2/84.]

WAC 137-75-050 Request for reimbursement. (1) A city or county requesting reimbursement under this chapter shall complete a form supplied by the department and file it with the Administrator, Contracts and Legal Affairs, P.O. Box 41114, Olympia, WA 98504-1114, who will confirm the accuracy of the information submitted with the request and determine whether the amount requested is properly reimbursable under chapter 70.48 RCW and this chapter.

(2) All such requests must be filed within thirty days after the costs for which reimbursement is requested were incurred. Provided, however, with respect to such costs incurred in the month of June in odd-numbered years, such requests must be filed no later than ten days after the close of the state fiscal biennium (June 30).

[Statutory Authority: RCW 72.01.090, 03-21-088, § 137-75-050, filed 10/17/03, effective 11/17/03. Statutory Authority: RCW 70.48.450, 87-14-045 (Order 87-03), § 137-75-050, filed 6/30/87. Statutory Authority: RCW 72.01.090 and 1984 c 235, 84-15-053 (Order 84-09), § 137-75-050, filed 7/17/84, effective 9/2/84.]

WAC 137-75-060 Implied consent to audit. By submitting a request for reimbursement under this chapter, the requesting city or county agrees to maintain for a period of five years after the date of the request records which would support such request, and to make such records available for review or audit by the department.

[Statutory Authority: RCW 72.01.090 and 1984 c 235, 84-15-053 (Order 84-09), § 137-75-060, filed 7/17/84, effective 9/2/84.]