

2 **SHB 1469** - S COMM AMD

3 By Committee on Health & Human Services

4 ADOPTED 4/14/93

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

7 "**Sec. 1.** RCW 70.48.130 and 1986 c 118 s 9 are each amended to read
8 as follows:

9 It is the intent of the legislature that all jail inmates receive
10 appropriate and cost-effective emergency and necessary medical care.
11 Governing units, the department of social and health services, and
12 medical care providers shall cooperate to achieve the best rates
13 consistent with adequate care.

14 Payment for emergency or necessary health care shall be by the
15 governing unit, except that the department of social and health
16 services shall directly reimburse the ~~((governing unit for the cost~~
17 ~~thereof if the confined person requires treatment for which such person~~
18 ~~is eligible under the department of social and health services' public~~
19 ~~assistance medical program))~~ provider pursuant to chapter 74.09 RCW, in
20 accordance with the rates and benefits established by the department,
21 if the confined person is eligible under the department's medical care
22 programs as authorized under chapter 74.09 RCW. After payment by the
23 department, the financial responsibility for any remaining balance,
24 including unpaid client liabilities that are a condition of eligibility
25 or participation under chapter 74.09 RCW, shall be borne by the medical
26 care provider and the governing unit as may be mutually agreed upon
27 between the medical care provider and the governing unit. In the
28 absence of mutual agreement between the medical care provider and the
29 governing unit, the financial responsibility for any remaining balance
30 shall be borne equally between the medical care provider and the
31 governing unit. Total payments from all sources to providers for care
32 rendered to confined persons eligible under chapter 74.09 RCW shall not
33 exceed the amounts that would be paid by the department for similar
34 services provided under Title XIX medicaid, unless additional resources
35 are obtained from the confined person.

36 As part of the screening process upon booking or preparation of an

1 inmate into jail, general information concerning the inmate's ability
2 to pay for medical care shall be identified, including insurance or
3 other medical benefits or resources to which an inmate is entitled.
4 This information shall be made available to the department, the
5 governing unit, and any provider of health care services.

6 The governing unit or provider may obtain reimbursement from the
7 confined person for the cost of ~~((emergency and other))~~ health care
8 ~~((to the extent that such person is reasonably able to pay for such~~
9 ~~care))~~ services not provided under chapter 74.09 RCW, including
10 reimbursement from any insurance program or from other medical benefit
11 programs available to ~~((such))~~ the confined person. Nothing in this
12 chapter precludes civil or criminal remedies to recover the costs of
13 medical care provided jail inmates or paid for on behalf of inmates by
14 the governing unit. As part of a judgment and sentence, the courts are
15 authorized to order defendants to repay all or part of the medical
16 costs incurred by the governing unit or provider during confinement.

17 To the extent that a confined person is unable to be financially
18 responsible for medical care and is ineligible for ~~((financial~~
19 ~~assistance from the department or from a private source))~~ the
20 department's medical care programs under chapter 74.09 RCW, or for
21 coverage from private sources, and in the absence of an interlocal
22 agreement or other contracts to the contrary, the governing unit may
23 obtain reimbursement for the cost of such medical services from the
24 unit of government whose law enforcement officers initiated the charges
25 on which the person is being held in the jail: PROVIDED, That
26 reimbursement for the cost of such services shall be by the state for
27 state prisoners being held in a jail who are accused of either escaping
28 from a state facility or of committing an offense in a state facility.

29 There shall be no right of reimbursement to the governing unit from
30 units of government whose law enforcement officers initiated the
31 charges for which a person is being held in the jail for care provided
32 after the charges are disposed of by sentencing or otherwise, unless by
33 intergovernmental agreement pursuant to chapter 39.34 RCW.

34 ~~((This section is not intended to limit or change any existing~~
35 ~~right of any party, governing unit, or unit of government against the~~
36 ~~person receiving the care for the cost of the care provided or paid~~
37 ~~for.))~~

1 Under no circumstance shall necessary medical services be denied or
2 delayed (~~(pending)~~) because of disputes over the cost of medical care
3 or a determination of financial responsibility for payment of the costs
4 of medical care provided to confined persons.

5 Nothing in this section shall limit any existing right of any
6 party, governing unit, or unit of government against the person
7 receiving the care for the cost of the care provided.

8 NEW SECTION. Sec. 2. This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and shall take
11 effect immediately."

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15 On page 1, line 2 of the title, after "persons;" strike the
16 remainder of the title and insert "amending RCW 70.48.130; and
17 declaring an emergency."

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