
**Public Safety & Emergency Preparedness
Committee**

HB 2640

Brief Description: Addressing benefits for mental health services under the crime victims' compensation program.

Sponsors: Representatives Dickerson, Kagi, Simpson, Kenney, Appleton, Goodman and Ormsby.

Brief Summary of Bill

- Authorizes a victim who has been receiving benefits for mental health services and who has an established relationship with such provider to continue to receive treatment from his or her current mental health provider despite becoming eligible for public assistance or insurance through some other means.
- Requires the Crime Victims' Compensation Program to become the payer of first resort for mental health services provided to victims.

Hearing Date: 1/20/10

Staff: Yvonne Walker (786-7841).

Background:

The Crime Victims' Compensation Program (CVCP) administered by the Department of Labor and Industries provides benefits to innocent victims of criminal acts. Generally, persons injured by a criminal act in Washington, or their surviving spouses and dependents, are eligible to receive benefits (medical treatment and lost wages) under the CVCP provided that:

- the criminal act for which compensation is being sought is punishable as a gross misdemeanor or felony;
- the crime was reported to law enforcement within one-year of its occurrence or within one-year from the time a report could reasonably have been made; and

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- the application for crime victims' benefits is made within two years after the crime was reported to law enforcement or the rights of the beneficiaries or dependents accrued.

If in the instance of a victim who has been receiving the CVCP benefits for mental health services in the past now becomes eligible for medical assistance, Medicaid, or some other benefits under the Department of Social and Health Services (DSHS), then that victim is no longer eligible for benefits under the CVCP. The statute requires that the CVCP is always the payer of last resort for medical expenses and lost wages. In this example a victim would be required to receive mental health services from a DSHS approved provider. This may require the victim to receive services from a different mental health provider than in the past under the CVCP.

Summary of Bill:

A victim injured by a criminal act who has been receiving benefits for mental health services and who has an established relationship with a mental health provider may continue to receive mental health treatment from his or her current mental health provider. The victim may continue treatment with the same provider despite whether he or she becomes eligible for medical assistance, medical care, or becomes eligible for insurance through some other means. The mental health provider must be licensed and in good standing.

Initial payment for mental health services must be paid by the CVCP. In the instance of a victim receiving benefits under the DSHS, the DSHS must reimburse the CVCP for any mental health services rendered to the victim.

If the victim has private insurance (such as through an employer) then the insurance carrier must reimburse the CVCP for any mental health services rendered to the victim based upon that carrier's reimbursement rate under the health plan in which the individual is enrolled. Reimbursement must be made to the CVCP within 45 days of receiving a claim from the CVCP.

Appropriation: None.

Fiscal Note: Requested on January 14, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.