

# SENATE BILL REPORT

## SSB 5352

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As Passed Senate, March 5, 2011

**Title:** An act relating to providing eyeglasses for medicaid enrollees.

**Brief Description:** Regarding providing eyeglasses to medicaid enrollees.

**Sponsors:** Senate Committee on Human Services & Corrections (originally sponsored by Senators Honeyford, Regala and Swecker).

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/28/11, 2/04/11 [DPS].  
Passed Senate: 3/05/11, 49-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 5352 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, Harper and McAuliffe.

**Staff:** Shani Bauer (786-7468)

**Background:** Current law authorizes the Department of Corrections (DOC) to operate five classes of correctional industry work programs. Those classes of jobs have different rules depending on the industry they are designed to serve to ensure that they have the limited goals of reducing costs to the taxpayer, or serving the public in some manner and do not compete with private businesses in the state.

Class II, or tax reduction, industries are state-owned and operated industries designed to reduce the costs for goods and services for public agencies and nonprofit organizations. Industries in this class must be closely patterned after private sector industries, but with the objective of reducing public support costs rather than making a profit. The products and services of this industry, including purchased products and services necessary for a complete product line, may only be sold to public agencies, nonprofit organizations, and to private contractors when the goods purchased will ultimately be used by a public agency or a nonprofit organization. However, to avoid waste or spoilage, by-products and surpluses of timber, agricultural, and animal husbandry enterprises may be sold at private sale or donated to nonprofit organizations when there is no public sector market for such goods.

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Inmates working in tax reduction industries do so at their own choice and are paid a gratuity which cannot exceed the wage paid for work of a similar nature in the locality in which the industry is located. Class II includes such jobs as producing aluminum signs, license plates and tabs, mattresses, asbestos abatement, meat processing, optical lab, engraving, pheasant raising, furniture manufacturing, screen printing and embroidery, industrial sewing, and laundry.

The optical lab with correctional industries makes eyeglasses for persons receiving them through the state Medicaid program. With the cost cutting measures throughout state government, eyeglasses will no longer be covered. Enrollees of the program will continue to get their eye exam paid for, but must purchase their own eyeglasses in the open market.

**Summary of Substitute Bill:** Eyeglasses produced through a Class II correctional industry program may be sold to a licensed health professional for the sole purpose of providing those eyeglasses to enrollees of a state medical program so long as the health professional does not charge a profit for the eyeglasses.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony on Original Bill:** PRO: I am a practicing optometrist and one-third of my patients have a medical card and get their eyeglasses through Airway Heights. It is difficult to get eyeglass services through other providers at a reasonable cost. The quality of the work done by correctional industries is also very good. This bill will not undercut private businesses as these services are currently provided by correctional industries. An optometrist is already paid a fitting fee and therefore compensated for dispensing the eyeglasses. Correctional industries upgraded their equipment in 2008 and should be able to continue to use these resources while providing offenders with valuable job skills.

**Persons Testifying:** PRO: James R. Ogden, O.D.; Brad Tower, Optometric Physicians of WA.