

HOUSE BILL REPORT

SB 5650

As Reported by House Committee On:
Public Safety
General Government & Information Technology

Title: An act relating to inmate funds subject to deductions.

Brief Description: Modifying provisions governing inmate funds subject to deductions.

Sponsors: Senators Padden, Darneille, Pearson and Kohl-Welles; by request of Department of Corrections.

Brief History:

Committee Activity:

Public Safety: 3/17/15, 3/20/15 [DPA];

General Government & Information Technology: 3/31/15 [DPA(PS)].

Brief Summary of Bill
(As Amended by Committee)

- Exempts from certain deduction requirements, money received by the Department of Corrections on behalf of an inmate from family or other outside sources for the payment of medical expenses.

HOUSE COMMITTEE ON PUBLIC SAFETY

Majority Report: Do pass as amended. Signed by 9 members: Representatives Goodman, Chair; Orwall, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton, Griffey, Moscoso, Pettigrew and Wilson.

Staff: Yvonne Walker (786-7841).

Background:

Anytime an inmate of a state prison receives funds, the funds are subject to certain mandatory deductions and priorities established in statute. These deductions vary depending on the types of funds received. Funds received for an inmate, from sources other than wages, legal settlements, or awards, are subject to the following deductions:

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- 5 percent for the purpose of crime victims' compensation;
- 10 percent to the personal inmate savings account;
- 20 percent to the Department of Corrections (DOC) to contribute to the costs of incarceration;
- 20 percent for payment of legal financial obligations owed by the inmate;
- 20 percent for any child support owed under a support order; and
- 20 percent for payment of any civil judgment owed for an assault offense.

"Civil judgment for assault" means a civil judgment for monetary damages awarded to a correctional officer or a DOC employee entered by a court against an inmate that is based on, or arises from, injury to the correctional officer or the DOC employee caused by the inmate while the correctional officer or employee was acting in the course and scope of his or her employment.

The mandatory statutory deductions do not apply to funds received on behalf of an offender for payment of educational or vocational programs or for the payment of postage expenses on behalf of the inmate.

Health Care Services for Offenders.

When an offender enters the custody of the DOC, a health profile for the offender must be prepared, including a financial assessment of the offender's ability to pay for all or a portion of the health care services received from personal resources or private insurance. Offenders are required to pay a co-payment of no less than \$4 per health care visit. The co-payment may be collected from the offender's institution account and is deposited into the State General Fund. All co-payments collected must be used to reduce expenditures for offender health care at the DOC.

Offenders are also required to pay for any over-the-counter medications. Such costs are charged to or debited from the offender's institution account.

Summary of Amended Bill:

The mandatory deductions do not apply to any funds received for an inmate for payment of medical expenses. Such medical expenses include the purchase of eyeglasses, over-the-counter medications, and offender co-payments. After medical expenses have been paid, any funds that are remaining unused in the inmate's medical fund at the time of his or her release are subject to the standard statutory deductions.

Amended Bill Compared to Original Bill:

Eyeglasses are included as a medical expense and thereby any funds received by the DOC on behalf of an inmate for payment of eyeglasses are exempt from the standard statutory deductions.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This is DOC requested legislation and is an idea that originated from the DOC Statewide Family Council. Currently, up to 95 percent of an inmate's funds can be taken out under current law which does not leave much for an offender to pay for medical expenses. Exempting funds for the sole purpose of medical expenses will encourage offenders to seek necessary medical care. Offenders often do not seek medical care because they cannot afford it or they do not want to burden their family members on the outside who may be living on a fixed income. This bill will allow family and friends to send money solely for medical expenses and such money would not be subject to the standard deductions.

This bill will make it easier for families to provide money for offender's medical care. The addition of eyeglasses as a medical expense would be supported as an acceptable amendment to the bill.

(Opposed) None.

Persons Testifying: Senator Padden, prime sponsor; Alex MacBain, Department of Corrections; and Verma Westman, Stafford Creek Corrections, Statewide Family Council.

Persons Signed In To Testify But Not Testifying: None.

**HOUSE COMMITTEE ON GENERAL GOVERNMENT & INFORMATION
TECHNOLOGY**

Majority Report: Do pass as amended by Committee on Public Safety. Signed by 7 members: Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe, Morris and Takko.

Staff: Rachelle Harris (786-7137).

**Summary of Recommendation of Committee On General Government & Information
Technology Compared to Recommendation of Committee On Public Safety:**

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This is Department of Corrections request legislation and is supported by family members of offenders. By accepting monies from family members for medical expenses for eyeglasses and other medical expenses, offenders will seek more medical care by reducing financial barriers to do so. Often times, offenders will not ask because they do not want to cause a financial burden on their families.

(Opposed) None.

Persons Testifying: Jody Beckergreen, Department of Corrections.

Persons Signed In To Testify But Not Testifying: None.