

CERTIFICATION OF ENROLLMENT

SENATE BILL 5595

Chapter 222, Laws of 2017

65th Legislature
2017 Regular Session

BEHAVIORAL HEALTH ORGANIZATIONS--STATE HOSPITAL REIMBURSEMENTS--
QUARTERLY AVERAGE CENSUS METHOD

EFFECTIVE DATE: 7/23/2017

Passed by the Senate February 28, 2017
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Passed by the House April 6, 2017
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Approved May 5, 2017 10:53 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5595** as passed by Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 5, 2017

**Secretary of State
State of Washington**

SENATE BILL 5595

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By Senators Billig, O'Ban, Darneille, and Padden

Read first time 01/30/17. Referred to Committee on Human Services,
Mental Health & Housing.

1 AN ACT Relating to maintaining the quarterly average census
2 method for calculating state hospital reimbursements; and amending
3 RCW 71.24.310.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 71.24.310 and 2014 c 225 s 40 are each amended to
6 read as follows:

7 The legislature finds that administration of chapter 71.05 RCW
8 and this chapter can be most efficiently and effectively implemented
9 as part of the behavioral health organization defined in RCW
10 71.24.025. For this reason, the legislature intends that the
11 department and the behavioral health organizations shall work
12 together to implement chapter 71.05 RCW as follows:

13 (1) By June 1, 2006, behavioral health organizations shall
14 recommend to the department the number of state hospital beds that
15 should be allocated for use by each behavioral health organization.
16 The statewide total allocation shall not exceed the number of state
17 hospital beds offering long-term inpatient care, as defined in this
18 chapter, for which funding is provided in the biennial appropriations
19 act.

20 (2) If there is consensus among the behavioral health
21 organizations regarding the number of state hospital beds that should

1 be allocated for use by each behavioral health organization, the
2 department shall contract with each behavioral health organization
3 accordingly.

4 (3) If there is not consensus among the behavioral health
5 organizations regarding the number of beds that should be allocated
6 for use by each behavioral health organization, the department shall
7 establish by emergency rule the number of state hospital beds that
8 are available for use by each behavioral health organization. The
9 emergency rule shall be effective September 1, 2006. The primary
10 factor used in the allocation shall be the estimated number of adults
11 with acute and chronic mental illness in each behavioral health
12 organization area, based upon population-adjusted incidence and
13 utilization.

14 (4) The allocation formula shall be updated at least every three
15 years to reflect demographic changes, and new evidence regarding the
16 incidence of acute and chronic mental illness and the need for long-
17 term inpatient care. In the updates, the statewide total allocation
18 shall include (a) all state hospital beds offering long-term
19 inpatient care for which funding is provided in the biennial
20 appropriations act; plus (b) the estimated equivalent number of beds
21 or comparable diversion services contracted in accordance with
22 subsection (5) of this section.

23 (5) The department is encouraged to enter performance-based
24 contracts with behavioral health organizations to provide some or all
25 of the behavioral health organization's allocated long-term inpatient
26 treatment capacity in the community, rather than in the state
27 hospital. The performance contracts shall specify the number of
28 patient days of care available for use by the behavioral health
29 organization in the state hospital.

30 (6) If a behavioral health organization uses more state hospital
31 patient days of care than it has been allocated under subsection (3)
32 or (4) of this section, or than it has contracted to use under
33 subsection (5) of this section, whichever is less, it shall reimburse
34 the department for that care(~~(, except during the period of July 1,~~
35 ~~2012, through December 31, 2013, where reimbursements may be~~
36 ~~temporarily altered per section 204, chapter 4, Laws of 2013 2nd sp.~~
37 ~~sess)).~~ Reimbursements must be calculated using quarterly average
38 census data to determine an average number of days used in excess of
39 the bed allocation for the quarter. The reimbursement rate per day
40 shall be the hospital's total annual budget for long-term inpatient

1 care, divided by the total patient days of care assumed in
2 development of that budget.

3 (7) One-half of any reimbursements received pursuant to
4 subsection (6) of this section shall be used to support the cost of
5 operating the state hospital and, during the 2007-2009 fiscal
6 biennium, implementing new services that will enable a behavioral
7 health organization to reduce its utilization of the state hospital.
8 The department shall distribute the remaining half of such
9 reimbursements among behavioral health organizations that have used
10 less than their allocated or contracted patient days of care at that
11 hospital, proportional to the number of patient days of care not
12 used.

Passed by the Senate February 28, 2017.

Passed by the House April 6, 2017.

Approved by the Governor May 5, 2017.

Filed in Office of Secretary of State May 5, 2017.

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