
SUBSTITUTE HOUSE BILL 1469

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Corrections (originally sponsored by Representatives L. Johnson, Morris, Long and Thibaudeau)

Read first time 03/01/93.

1 AN ACT Relating to reimbursement of medical costs for care provided
2 to confined persons; amending RCW 70.48.130; and declaring an
3 emergency.

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

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

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

12 Payment for emergency or necessary health care shall be by the
13 governing unit, except that the department of social and health
14 services shall directly reimburse the ~~((governing unit for the cost~~
15 ~~thereof if the confined person requires treatment for which such person~~
16 ~~is eligible under the department of social and health services' public~~
17 ~~assistance medical program))~~ provider pursuant to chapter 74.09 RCW, in
18 accordance with the rates and benefits established by the department,
19 if the confined person is eligible under the department's medical care

1 programs as authorized under chapter 74.09 RCW. After payment by the
2 department, the financial responsibility for any remaining balance,
3 including unpaid client liabilities which are a condition of
4 eligibility or participation under chapter 74.09 RCW, shall be borne
5 equally between the medical care provider and the governing unit.
6 Total payments from all sources to providers for care rendered to
7 confined persons eligible under chapter 74.09 RCW shall not exceed the
8 amounts that would be paid by the department for similar services
9 provided under Title XIX medicaid, unless additional resources are
10 obtained from the confined person.

11 As part of the screening process upon booking or preparation of an
12 inmate into jail, general information concerning the inmate's ability
13 to pay for medical care shall be identified, including insurance or
14 other medical benefits or resources to which an inmate is entitled.
15 This information shall be made available to the department, the
16 governing unit, and any provider of health care services.

17 The governing unit or provider may obtain reimbursement from the
18 confined person for the cost of ((emergency and other)) health care
19 ((to the extent that such person is reasonably able to pay for such
20 care)) services not provided under chapter 74.09 RCW, including
21 reimbursement from any insurance program or from other medical benefit
22 programs available to ((such)) the confined person. Nothing in this
23 chapter precludes civil or criminal remedies to recover the costs of
24 medical care provided jail inmates or paid for on behalf of inmates by
25 the governing unit. As part of a judgment and sentence, the courts are
26 authorized to order defendants to repay all or part of the medical
27 costs incurred by the governing unit or provider during confinement.

28 To the extent that a confined person is unable to be financially
29 responsible for medical care and is ineligible for ((financial
30 assistance from the department or from a private source)) the
31 department's medical care programs under chapter 74.09 RCW, or for
32 coverage from private sources, and in the absence of an interlocal
33 agreement or other contracts to the contrary, the governing unit may
34 obtain reimbursement for the cost of such medical services from the
35 unit of government whose law enforcement officers initiated the charges
36 on which the person is being held in the jail: PROVIDED, That
37 reimbursement for the cost of such services shall be by the state for
38 state prisoners being held in a jail who are accused of either escaping
39 from a state facility or of committing an offense in a state facility.

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

6 ~~((This section is not intended to limit or change any existing
7 right of any party, governing unit, or unit of government against the
8 person receiving the care for the cost of the care provided or paid
9 for.))~~

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

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

17 NEW SECTION. Sec. 2. This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and shall take
20 effect immediately.

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