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HOUSE BILL 1469

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State of Washington                      53rd Legislature                      1993 Regular Session

By Representatives L. Johnson, Morris, Long and Thibaudeau

Read first time 01/29/93. Referred to Committee on Corrections.

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            Payment for emergency or necessary health care shall be by the  
8 governing unit, except that the department of social and health  
9 services shall reimburse the governing unit for the cost thereof if the  
10 confined person requires treatment for which such person is eligible  
11 under the department of social and health services' public assistance  
12 medical program. Nothing in this section requires the department of  
13 social and health services to reimburse the governing unit for costs in  
14 excess of the rates it sets or the benefits it provides for nonconfined  
15 medically indigent people under the limited casualty program authorized  
16 pursuant to RCW 74.09.700.

17            The governing unit may obtain reimbursement from the confined  
18 person for the cost of emergency and other health care to the extent  
19 that such person is reasonably able to pay for such care, including

1 reimbursement from any insurance program or from other medical benefit  
2 programs available to such person. To the extent that a confined  
3 person is unable to be financially responsible for medical care and is  
4 ineligible for financial assistance from the department or from a  
5 private source, the governing unit may obtain reimbursement for the  
6 cost of such services from the unit of government whose law enforcement  
7 officers initiated the charges on which the person is being held in the  
8 jail: PROVIDED, That reimbursement for the cost of such services shall  
9 be by the state for state prisoners being held in a jail who are  
10 accused of either escaping from a state facility or of committing an  
11 offense in a state facility.

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

17 This section is not intended to limit or change any existing right  
18 of any party, governing unit, or unit of government against the person  
19 receiving the care for the cost of the care provided or paid for.

20 Under no circumstance shall necessary medical services be denied or  
21 delayed pending a determination of financial responsibility.

22 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
23 preservation of the public peace, health, or safety, or support of the  
24 state government and its existing public institutions, and shall take  
25 effect immediately.

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