

SENATE BILL REPORT

SB 6272

As Passed Senate, February 11, 2002

Title: An act relating to contracting for medical care services under chapter 71.09 RCW.

Brief Description: Authorizing contracts for provision of basic medical care to sexually violent predators.

Sponsors: Senators Long, Hargrove and Costa; by request of Department of Social and Health Services.

Brief History:

Committee Activity: Human Services & Corrections: 1/23/02, 1/25/02 [DP].

Passed Senate: 2/11/02, 48-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Carlson, Franklin, Hewitt, Kastama, Kohl-Welles, Long and Stevens.

Staff: Edith Rice (786-7444)

Background: The Department of Corrections (DOC) is responsible for providing health care services to inmates. Over ten years ago, DOC indemnified contracted health care service providers because many of them were unable to obtain liability insurance. Insurance carriers either did not offer insurance for health care providers treating inmates or the cost was prohibitive.

Summary of Bill: The Department of Social and Health Services (DSHS) is authorized to contract for health care services being provided to sexually violent predators in its care. DSHS is authorized to indemnify these health care providers if they are unable through reasonable efforts to obtain professional liability insurance. In the event that a claim is made against such a provider, the claim is treated as if the provider was a state employee. This means that the Office of the Attorney General provides legal representation. Any judgment awarded is paid from the state liability account. As with state employees, the health care provider being indemnified under this law has to be performing acts which are within the scope of their official duties and in good faith.

Appropriation: None.

Fiscal Note: Requested on January 21, 2002.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: DSHS will be unable to provide medical services to sexually violent predators without this bill. It is identical to the provision that DOC has used for over ten years.

Testimony Against: None.

Testified: Tim Brown, Assistant Secretary, Health and Rehabilitative Services Administration, Department of Social and Health Services.