

**E2SSB 5930** - H AMD TO APP COMM AMD (H-3302.1) **662**  
By Representative Curtis

OUT OF ORDER 4/12/2007

1 On page 65, after line 20, insert the following:

2 "Sec. 58. RCW 70.48.130 and 1993 c 409 s 1 are each amended to  
3 read as follows:

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

9 Payment for emergency or necessary health care shall be by the  
10 governing unit, except that the department of social and health  
11 services shall directly reimburse the provider pursuant to chapter  
12 74.09 RCW, in accordance with the rates and benefits established by  
13 the department, if the confined person is eligible under the  
14 department's medical care programs as authorized under chapter  
15 74.09 RCW. After payment by the department, the financial  
16 responsibility for any remaining balance, including unpaid client  
17 liabilities that are a condition of eligibility or participation  
18 under chapter 74.09 RCW, shall be borne by the medical care  
19 provider and the governing unit as may be mutually agreed upon  
20 between the medical care provider and the governing unit. In the  
21 absence of mutual agreement between the medical care provider and  
22 the governing unit, the financial responsibility for any remaining  
23 balance shall be borne equally between the medical care provider  
24 and the governing unit. Total payments from all sources to  
25 providers for care rendered to confined persons eligible under  
26 chapter 74.09 RCW shall not exceed the amounts that would be paid  
27 by the department for similar services provided under Title XIX  
28 medicaid, unless additional resources are obtained from the  
29 confined person.

1 As part of the screening process upon booking or preparation of  
2 an inmate into jail, general information concerning the inmate's  
3 ability to pay for medical care shall be identified, including  
4 insurance or other medical benefits or resources to which an inmate  
5 is entitled. This information shall be made available to the  
6 department, the governing unit, and any provider of health care  
7 services.

8 The governing unit or provider may obtain reimbursement from  
9 the confined person for the cost of health care services not  
10 provided under chapter 74.09 RCW, including reimbursement from any  
11 insurance program or from other medical benefit programs available  
12 to the confined person. Nothing in this chapter precludes civil or  
13 criminal remedies to recover the costs of medical care provided  
14 jail inmates or paid for on behalf of inmates by the governing  
15 unit. As part of a judgment and sentence, the courts are  
16 authorized to order defendants to repay all or part of the medical  
17 costs incurred by the governing unit or provider during  
18 confinement.

19 To the extent that a confined person is unable to be  
20 financially responsible for medical care and is ineligible for the  
21 department's medical care programs under chapter 74.09 RCW, or for  
22 coverage from private sources, and in the absence of an interlocal  
23 agreement or other contracts to the contrary, the governing unit  
24 may obtain reimbursement for the cost of such medical services from  
25 the unit of government (~~((whose law enforcement officers))~~) who  
26 initiated the charges on which the person is being held in the  
27 jail: PROVIDED, That reimbursement for the cost of such services  
28 shall be by the state for state prisoners being held in a jail who  
29 are accused of either escaping from a state facility or of  
30 committing an offense in a state facility. If a confined person is  
31 unable to be financially responsible for medical care and is  
32 ineligible for the department's medical care programs under chapter  
33 74.09 RCW, the cost of any medical care provided by a health care  
34 provider shall not exceed one hundred sixty percent of the medicaid  
35 rates for such service.

36 There shall be no right of reimbursement to the governing unit  
37 from units of government (~~((whose law enforcement officers))~~) who  
38 initiated the charges for which a person is being held in the jail  
39 for care provided after the charges are disposed of by sentencing

1 or otherwise, unless by intergovernmental agreement pursuant to  
2 chapter 39.34 RCW.

3 Under no circumstance shall necessary medical services be  
4 denied or delayed because of disputes over the cost of medical care  
5 or a determination of financial responsibility for payment of the  
6 costs of medical care provided to confined persons.

7 Nothing in this section shall limit any existing right of any  
8 party, governing unit, or unit of government against the person  
9 receiving the care for the cost of the care provided."

10 Renumber the remaining sections consecutively and correct  
11 internal references accordingly.

**EFFECT:** Clarifies that the unit of government that initiates charges causing a person to be incarcerated will be responsible for any medical services provided to the inmate. Sets an upper limit on the cost of medical care provided by a health care provider to an inmate that will not exceed 160% of the Medicaid rate for such service.