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**Human Services Committee**

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**HB 2993**

**Brief Description:** Facilitating continuity of medical assistance for persons confined in correctional institutions and institutions for mental diseases.

**Sponsors:** Representatives Dickerson, Kagi, Hasegawa, Darneille, Kenney, Roberts and Ormsby.

**Brief Summary of Bill**

- Requires the Department of Social and Health Services to suspend medical benefits of a person going into confinement, and immediately reinstate the confined person's medical benefits upon that person's release from confinement.
- Creates procedures for recertification of medical benefits for people who have lost his or her medical benefits due to confinement.
- Minor substantive and technical changes are made in sections of the code to make it conform with practice and procedures that would be established under this bill.

**Hearing Date:** 1/29/08

**Staff:** Brian Considine (786-7290).

**Background:**

Legislation was passed in 2006 that required the Department of Social and Health Services (DSHS) to expedite the enrollment or re-enrollment of medical assistance for eligible persons leaving state or local correctional facilities and institutions for mental diseases.

If a person is confined or incarcerated in a prison, county or city jail, or an institution for mental diseases, and the person has been diagnosed with a mental disease, then the confined person may apply for cash or medical assistance within 45 days prior to the expected release date.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Currently, the DSHS will terminate a person's medical benefits if he or she becomes incarcerated in a state prison, county or city jail, and the person cannot reestablish his or her eligibility of state medical benefits until he or she is released from confinement.

**Summary of Bill:**

A person who is receiving medical assistance at the time he or she becomes confined in a Washington State prison, county or local jail, or institution for mental disease will have his or her medical assistance suspended during the period of his or her confinement.

The DSHS, in collaboration with state and local organizations, must establish policies and procedures that will ensure speedy notification to the DSHS that a person receiving medical assistance is in confinement. The DSHS will also develop policies to promote continuity of medical assistance and educate individuals in confinement about suspension and recertification of medical assistance.

The DSHS will accept applications for medical benefits from a person in confinement who is scheduled for release within four months or is awaiting trial or sentencing, and it will determine eligibility within 45 days after receiving the application. After making a determination of eligibility, the DSHS will immediately send written notification of its decision to the applicant. If the person is eligible for assistance, then benefits will be suspended until the person is released from confinement.

The DSHS is required to explore the possibility of obtaining a medicaid state plan amendment to allow the state to receive medicaid matching funds for medical assistance provided to an individual during the period in which recertification of eligibility is pending.

The DSHS will expedite processing applications for federal supplemental security income (SSI) or social security disability benefits for individuals whose medical assistance benefits are suspended if funding is appropriate for this purpose.

Minor substantive and technical changes are made in the code to conform with practice and procedures that would be established under this bill.

**Appropriation:** None.

**Fiscal Note:** Requested on January 24, 2008.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed, except for section 4, which takes effect on January 1, 2009.