
HOUSE BILL 2126

State of Washington 60th Legislature 2007 Regular Session

By Representatives Ross, Morrell, Curtis, Simpson and Eddy

Read first time 02/09/2007. Referred to Committee on Appropriations.

1 AN ACT Relating to rates paid for medical care provided to jail
2 inmates; and amending RCW 70.48.130.

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

4 **Sec. 1.** RCW 70.48.130 and 1993 c 409 s 1 are each amended to read
5 as follows:

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

11 Payment for emergency or necessary health care shall be by the
12 governing unit, except that the department of social and health
13 services shall directly reimburse the provider pursuant to chapter
14 74.09 RCW, in accordance with the rates and benefits established by the
15 department, if the confined person is eligible under the department's
16 medical care programs as authorized under chapter 74.09 RCW. After
17 payment by the department, the financial responsibility for any
18 remaining balance, including unpaid client liabilities that are a
19 condition of eligibility or participation under chapter 74.09 RCW,

1 shall be borne by the medical care provider and the governing unit as
2 may be mutually agreed upon between the medical care provider and the
3 governing unit. In the absence of mutual agreement between the medical
4 care provider and the governing unit, the financial responsibility for
5 any remaining balance shall be borne equally between the medical care
6 provider and the governing unit. Total payments from all sources to
7 providers for care rendered to confined persons eligible under chapter
8 74.09 RCW shall not exceed the amounts that would be paid by the
9 department for similar services provided under Title XIX medicaid,
10 unless additional resources are 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 health care services not provided under
19 chapter 74.09 RCW, including reimbursement from any insurance program
20 or from other medical benefit programs available to the confined
21 person. Nothing in this chapter precludes civil or criminal remedies
22 to recover the costs of medical care provided jail inmates or paid for
23 on behalf of inmates by the governing unit. As part of a judgment and
24 sentence, the courts are authorized to order defendants to repay all or
25 part of the medical costs incurred by the governing unit or provider
26 during confinement.

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

1 for the department's medical care programs under chapter 74.09 RCW, the
2 cost of any medical care provided by a health care provider shall not
3 exceed one hundred sixty percent of the medicaid rates for such
4 service.

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

10 Under no circumstance shall necessary medical services be denied or
11 delayed because of disputes over the cost of medical care or a
12 determination of financial responsibility for payment of the costs of
13 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.

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