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SENATE BILL 5288

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Hill, Hargrove, and Shin; by request of Department of Corrections

Read first time 01/24/13. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to contracts for health care services for  
2 incarcerated offenders; and amending RCW 72.10.030.

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

4 **Sec. 1.** RCW 72.10.030 and 2012 c 237 s 2 are each amended to read  
5 as follows:

6 (1) Notwithstanding any other provisions of law, the secretary may  
7 enter into contracts with health care practitioners, health care  
8 facilities, and other entities or agents as may be necessary to provide  
9 medical, behavioral health, and chemical dependency treatment care to  
10 inmates. The contracts shall not cause the termination of classified  
11 employees of the department rendering the services at the time the  
12 contract is executed.

13 (2) In contracting for services, the secretary is authorized to  
14 provide for indemnification of health care practitioners who cannot  
15 obtain professional liability insurance through reasonable effort, from  
16 liability on any action, claim, or proceeding instituted against them  
17 arising out of the good faith performance or failure of performance of  
18 services on behalf of the department. The contracts may provide that

1 for the purposes of chapter 4.92 RCW only, those health care  
2 practitioners with whom the department has contracted shall be  
3 considered state employees.

4 (3) Providers of hospital services that are hospitals licensed  
5 under chapter 70.41 RCW shall contract with the department for  
6 inpatient, outpatient, and ancillary services if deemed appropriate by  
7 the department. Payments to hospitals shall conform to the following  
8 requirements:

9 (a) The department shall pay (~~hospitals~~) all health care  
10 contractors including, but not limited to, hospitals, providers, and  
11 ancillary vendors through the provider one system operated by the  
12 Washington state health care authority;

13 (b) The department shall reimburse (~~the hospitals~~) all health  
14 care contractors including, but not limited to, hospitals, providers,  
15 and ancillary vendors using the reimbursement methodology in use by the  
16 state medicaid program; and

17 (c) The department shall only reimburse (~~a provider of hospital~~  
18 ~~services to a hospital patient~~) health care contractors including, but  
19 not limited to, hospitals, providers, and ancillary vendors at a rate  
20 no more than the amount payable under the medicaid reimbursement  
21 structure plus a percentage increase that is determined in the  
22 operating budget, regardless of whether the (~~hospital~~) vendor is  
23 located within or outside of Washington.

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