

# SENATE BILL REPORT

## SB 6322

---

---

As of February 10, 2016

**Title:** An act relating to the payment of health services by hospitals for inmates.

**Brief Description:** Concerning the payment of health services by hospitals for inmates.

**Sponsors:** Senators Pearson and Hewitt.

**Brief History:**

**Committee Activity:** Law & Justice: 1/21/16.

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Lindsay Erickson (786-7465)

**Background:** The Department of Corrections may enter into contracts with health care practitioners, health care facilities, and other entities or agents as may be necessary to provide medical, behavioral health, and chemical dependency treatment care to inmates. Under current law, the Department of Corrections must only reimburse a provider of hospital services to a hospital patient at a rate no more than the amount payable under the Medicaid reimbursement structure, plus a percentage increase that is determined in the operating budget.

Health care providers and health care facilities may disclose health care information without a patient's consent to certain persons and entities, including, among others, previous and successor providers, immediate family members, emergency personnel and law enforcement in certain circumstances, and institutions to which the patient is detained. Permitted disclosure does not include disclosure of information related to sexually transmitted diseases or mental health services. In some instances, information may not be shared if the patient has instructed against disclosure in writing.

**Summary of Bill:** The Department of Corrections must reimburse hospitals for inmate care using the fee schedule as determined, maintained, and posted by the Washington State Department of Labor and Industries.

**Appropriation:** None.

**Fiscal Note:** Requested on January 14, 2016.

---

*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.*

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: There are times when prisoners require more extensive health care than what is provided at the correctional facility. For smaller rural hospitals caring for a disproportional number of DOC inmates, the reimbursement of services at the Medicaid rate makes it difficult for them to operate. In order to achieve licensure, hospitals must accept Medicaid payments for DOC patients. Medicaid pays 80% of the cost for inpatient services and less than 50% of the cost for outpatient services. The L&I rate pays a higher percentage rate. The current structure is not necessarily saving DOC any money because they are having to transport inmates to these hospitals with guards, which is costly.

**Persons Testifying:** PRO: Senator Pearson, prime sponsor; Len McComb, WA State Hospital Assoc.; Eric Jensen, CEO of Evergreen Health Monroe.

**Persons Signed In to Testify But Not Testifying:** No one.