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**SENATE BILL 5693**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senators Miloscia, Darneille, Fraser, and O'Ban; by request of Department of Social and Health Services

Read first time 01/29/15. Referred to Committee on Health Care.

1 AN ACT Relating to reducing the costs of state health care  
2 expenses for residents committed to the special commitment center  
3 operated by the department of social and health services; and  
4 amending RCW 71.09.085.

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

6 **Sec. 1.** RCW 71.09.085 and 2002 c 58 s 1 are each amended to read  
7 as follows:

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

14 (2) In contracting for services, the secretary is authorized to  
15 provide for indemnification of health care practitioners who cannot  
16 obtain professional liability insurance through reasonable effort,  
17 from liability on any action, claim, or proceeding instituted against  
18 them arising out of the good faith performance or failure of  
19 performance of services on behalf of the department. The contracts  
20 may provide that for the purposes of chapter 4.92 RCW only, those

1 health care practitioners with whom the department has contracted  
2 shall be considered state employees.

3 (3) To the extent that federal law allows and financial  
4 participation is available, the secretary or secretary's designee is  
5 authorized to act on behalf of a civilly committed resident for the  
6 purposes of applying for medicare and medicaid benefits, veterans  
7 health benefits, or other health care benefits or reimbursement  
8 available as a result of participation in a health care exchange as  
9 defined by the affordable care act.

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