

# HOUSE BILL REPORT

## SB 6351

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**As Reported by House Committee On:**  
Health Care & Wellness

**Title:** An act relating to authorizing the state health care authority to require fingerprint-based background checks and conviction record checks for the nonemergency medical transportation program.

**Brief Description:** Authorizing the health care authority to require fingerprint-based background checks and conviction record checks for the nonemergency medical transportation program.

**Sponsors:** Senators Van De Wege, Chase and Keiser; by request of Health Care Authority.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/21/18, 2/23/18 [DP].

**Brief Summary of Bill**

- Requires the Health Care Authority (HCA) to require all applicants to the nonemergency medical transportation program undergo a fingerprint-based background check.
- Requires the Washington State Patrol to furnish a conviction record for any applicant to the nonemergency medical transportation program upon the written request of the HCA.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 17 members: Representatives Cody, Chair; Macri, Vice Chair; Schmick, Ranking Minority Member; Graves, Assistant Ranking Minority Member; Caldier, Clibborn, DeBolt, Harris, Jinkins, MacEwen, Maycumber, Riccelli, Robinson, Rodne, Slatter, Stonier and Tharinger.

**Staff:** Kim Weidenaar (786-7120).

**Background:**

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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.*

The Medicaid nonemergency medical transportation program (NEMT) is a federally mandated benefit that requires states to ensure that qualified Medicaid beneficiaries have transportation to and from providers for medical services if they have no means of transportation. The Health Care Authority (HCA) manages the program in Washington for Medicaid enrollees and provides similar services for those enrolled in other state-funded medical assistance programs who have no other means to access medical care. The HCA provides the service through contracted brokers who arrange and pay for trips for qualifying clients.

The Washington State Patrol (WSP) obtains and maintains fingerprints, palmprints, photographs, and other criminal history records of persons arrested and charged with or convicted of a criminal offense. The WSP also maintains information concerning persons arrested for or convicted of crimes in other states. The WSP is statutorily authorized to disseminate criminal history record information for noncriminal justice purposes and may charge a fee for the dissemination of such records. Upon written request and for certain statutorily authorized purposes, the WSP must provide any individual's conviction record to a number of entities and agencies, including the Department of Social and Health Services. The fees vary depending on the type of request, including whether the request includes a Federal Bureau of Investigation fingerprint check request.

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**Summary of Bill:**

The Health Care Authority (HCA) must require a Washington State Patrol (WSP) and Federal Bureau of Investigation (FBI) fingerprint-based background check for all applicants or service providers to the nonemergency medical transportation program (NEMT) to determine the character, competence, and suitability of the applicant to have unsupervised access to clients of the program. For purposes of protecting the population served by the NEMT and upon written request by the HCA, the WSP must furnish a conviction record, including records from the FBI, for any applicant to the NEMT.

Current or prospective employees, volunteers, interns, contractors of the HCA, or others who have or may have unsupervised access on HCA's behalf are included in the definition of "applicant." Entities, facilities, agencies, businesses, and individuals licensed, certified, authorized, or regulated by, that receive payment from or have contracts or agreement with the HCA, are included in the definition of "service provider."

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on July 1, 2018.

**Staff Summary of Public Testimony:**

(In support) This is a very simple bill that allows the Health Care Authority (HCA) to have a Washington State Patrol (WSP) and Federal Bureau of Investigation (FBI) background check on all drivers that are employed by the nonemergency transportation program. This is a small step to ensure the character and competency of the providers. Currently, the HCA only has authority to conduct a WSP background check, which only includes records in Washington. Fingerprint-based FBI background checks include records in all 50 states. This bill has no fiscal impact to the state. The bill would require about 840 background checks a year, which cost transportation providers an additional \$12 per check amounting to about \$11,000 a year. This is a simple step to ensure the safety of the population served by the nonemergency medical transportation program.

(Opposed) None.

**Persons Testifying:** Shawn O'Neill, Health Care Authority.

**Persons Signed In To Testify But Not Testifying:** None.