

SENATE BILL REPORT

SB 6351

As Passed Senate, February 13, 2018

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 & Long Term Care: 1/29/18, 1/30/18 [DP].

Floor Activity:

Passed Senate: 2/13/18, 47-0.

Brief Summary of Bill

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

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass.

Signed by Senators Cleveland, Chair; Kuderer, Vice Chair; Rivers, Ranking Member; Bailey, Becker, Conway, Fain, Keiser, Mullet and Van De Wege.

Staff: Greg Attanasio (786-7410)

Background: The NEMT is a federally-mandated program managed by the HCA that provides transportation to Medicaid enrollees and those enrolled in other state-funded medical assistance programs. Transportation may be authorized for individuals who have no

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other means to access medical care. The HCA provides the service through contracted brokers who arrange and pay for trips for qualifying clients.

The 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. It is statutorily authorized to disseminate criminal history record information for noncriminal justice purposes and may charge a fee for the dissemination of such records. The fees varies depending on the type of request, including whether the request includes a Federal Bureau of Investigation (FBI) fingerprint check request.

Summary of Bill: The HCA must require a WSP and FBI fingerprint-based background check for all applicants or service providers to the NEMT to determine the character, competence, and suitability of the applicant to have unsupervised access to clients of the program. Upon request of the HCA, the WSP must furnish a conviction record, including records from the FBI, for any applicant to the NEMT.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: The bill will protect Medicaid patients at a particularly vulnerable time, when they are being transported to care. The background checks will provide information from all 50 states to ensure the suitability of the applicant. The Department of Social and Health Services and the Department of Youth, Children, and Families have the authority to seek WSP and FBI background checks for applicants to programs run by those departments and the HCA should have the same authority.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Shawn O'Neill, Legislative Relations Manager, HCA.

Persons Signed In To Testify But Not Testifying: No one.