
HOUSE BILL 1348

State of Washington

67th Legislature

2021 Regular Session

By Representatives Davis, Schmick, Frame, Leavitt, Simmons, Valdez, Fitzgibbon, Orwall, Ortiz-Self, Slatter, Caldier, Stonier, Peterson, Ramel, Goodman, Taylor, Sutherland, Ryu, Hackney, Lovick, Barkis, Pollet, Macri, Callan, Santos, Ormsby, Tharinger, Riccelli, Lekanoff, Harris-Talley, and Harris

Read first time 01/22/21. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to the provision of medical assistance to
2 incarcerated persons; amending RCW 74.09.670; creating a new section;
3 and providing a contingent effective date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Having access to same day and next day physical and
7 behavioral health services is imperative to facilitate successful
8 reentry for individuals releasing from jails;

9 (b) The overwhelming majority of individuals in jails are
10 incarcerated for less than 30 days;

11 (c) Suspending medicaid for individuals on short-term jail stays
12 causes significant delays in medicaid reinstatement upon release; and

13 (d) Delays in medicaid reinstatement impede access to physical
14 and behavioral health appointments and prescription medications upon
15 release.

16 (2) The legislature intends to facilitate successful jail reentry
17 by not suspending medicaid for individuals who are incarcerated for
18 less than 30 days.

19 **Sec. 2.** RCW 74.09.670 and 2016 c 154 s 2 are each amended to
20 read as follows:

1 The authority (~~is directed to~~) must suspend, rather than
2 terminate, medical assistance benefits (~~by July 1, 2017,~~) for
3 persons who are incarcerated in a correctional institution, as
4 defined in RCW 9.94.049, for 30 days or more and for persons
5 committed to a state hospital. (~~This must include the ability for a~~
6 ~~person~~) A person's incarceration status may not affect the person's
7 enrollment in medical assistance prior to 30 days of incarceration in
8 a correctional institution. After 30 days in a correctional
9 institution, an incarcerated person must be allowed to apply for
10 medical assistance in suspense status during incarceration(~~r~~) and
11 the ability to apply may not depend upon knowledge of the release
12 date of the person. (~~The authority must provide a progress report~~
13 ~~describing program design and a detailed fiscal estimate to the~~
14 ~~governor and relevant committees of the legislature by December 1,~~
15 ~~2016.~~)

16 NEW SECTION. **Sec. 3.** (1) The health care authority is
17 authorized to seek any necessary state plan amendments or waivers
18 from the federal department of health and human services that are
19 necessary to implement section 2 of this act.

20 (2) This act takes effect upon the director of the health care
21 authority receiving notice that the federal department of health and
22 human services has approved all necessary state plan amendments or
23 waivers to implement section 2 of this act.

24 (3) Upon receiving approval from the federal department of health
25 and human services as described in subsection (2) of this section,
26 the director of the health care authority shall provide written
27 notice of receiving approval to the chief clerk of the house of
28 representatives, the secretary of the senate, the office of the code
29 reviser, and others as deemed appropriate by the director.

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