
ENGROSSED SUBSTITUTE SENATE BILL 6063

State of Washington

66th Legislature

2020 Regular Session

By Senate Human Services, Reentry & Rehabilitation (originally sponsored by Senators Wagoner, Kuderer, and Padden)

READ FIRST TIME 02/03/20.

1 AN ACT Relating to improving department of corrections health
2 care administration; amending RCW 72.10.020; and adding a new section
3 to chapter 72.10 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 72.10
6 RCW to read as follows:

7 (1) The department shall establish minimum job qualifications for
8 the position of prison medical director in accordance with best
9 practices.

10 (2) A candidate for prison medical director must meet the
11 established minimum qualifications to be considered for the position.

12 (3) The established minimum qualifications shall be reviewed by
13 the department every five years or more frequently as the department
14 deems necessary.

15 (4) By December 1, 2020, and in compliance with RCW 43.01.036,
16 the department shall report to the appropriate committees of the
17 legislature the minimum job qualifications established and the status
18 of implementing the minimum job qualifications throughout the
19 department's correctional facilities.

1 **Sec. 2.** RCW 72.10.020 and 2016 c 197 s 8 are each amended to
2 read as follows:

3 (1) Upon entry into the correctional system, offenders shall
4 receive an initial medical examination. The department shall prepare
5 a health profile for each offender that includes at least the
6 following information: (a) An identification of the offender's
7 serious medical and dental needs; (b) an evaluation of the offender's
8 capacity for work and recreation; and (c) a financial assessment of
9 the offender's ability to pay for all or a portion of his or her
10 health care services from personal resources or private insurance.

11 (2)(a) The department may develop and implement a plan for the
12 delivery of health care services and personal hygiene items to
13 offenders in the department's correctional facilities, at the
14 discretion of the secretary, and in conformity with federal law.

15 (b) To discourage unwarranted use of health care services caused
16 by unnecessary visits to health care providers, offenders shall
17 participate in the costs of their health care services by paying an
18 amount that is commensurate with their resources as determined by the
19 department, or a nominal amount of no less than four dollars per
20 visit, as determined by the secretary. Under the authority granted in
21 RCW 72.01.050(2), the secretary may authorize the superintendent to
22 collect this amount directly from an offender's institution account.
23 All copayments collected from offenders' institution accounts shall
24 be a reduction in the expenditures for offender health care at the
25 department.

26 (c) Offenders are required to make copayments for initial health
27 care visits that are offender initiated and, by rule adopted by the
28 department, may be charged a copayment for subsequent visits related
29 to the medical condition which caused the initial visit.

30 (d) No offender may be refused any health care service because of
31 indigence.

32 (e) At no time shall the withdrawal of funds for the payment of a
33 medical service copayment result in reducing an offender's
34 institution account to an amount less than the level of indigency as
35 defined in chapter 72.09 RCW.

36 (3)(a) The secretary shall adopt, by rule, a uniform policy
37 relating to the distribution and replenishment of personal hygiene
38 items for inmates incarcerated in all department institutions. The
39 policy shall provide for the initial distribution of adequate

1 personal hygiene items to inmates upon their arrival at an
2 institution.

3 (b) The acquisition of replenishment personal hygiene items is
4 the responsibility of inmates, except that indigent inmates shall not
5 be denied adequate personal hygiene items based on their inability to
6 pay for them.

7 (c) The policy shall provide that the replenishment personal
8 hygiene items be distributed to inmates only in authorized quantities
9 and at intervals that reflect prudent use and customary wear and
10 consumption of the items.

11 (4) To the extent that federal law allows and federal financial
12 participation is available, for the limited purpose of implementing
13 this section, the department, or the department's designee, is
14 authorized to act on behalf of an inmate for purposes of applying for
15 medicaid eligibility.

16 (5) The following become a debt and are subject to RCW 72.09.450:

17 (a) All copayments under subsection (2) of this section that are
18 not collected when the visit occurs; and

19 (b) All charges for replenishment personal hygiene items that are
20 not collected when the item is distributed.

21 (6) The department, in accordance with medically accepted best
22 practices and in consultation with the health care authority, shall
23 develop and implement uniform standards across all of the
24 department's correctional facilities for determining when a patient's
25 current health status requires a referral for consultation or
26 treatment outside the department. These standards must be based on
27 the health care community standard of care to ensure medical
28 referrals for consultation or treatment are timely and promote
29 optimal patient outcomes.

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