

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5101 S SB 5101-S AMH CSJR H-1731.1	<b>Title:</b> DOC medical placements
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Washington State Health Care Authority	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.0	0	0	0	0.0	0	0	0	0.0	0	0	0

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Washington State Health Care Authority	.0	0	0	.0	0	0	.0	0	0
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5101 S SB 5101-S AMH CSJR H-1731.1	<b>Title:</b> DOC medical placements	<b>Agency:</b> 107-Washington State Health Care Authority
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 03/24/2023
Agency Preparation: Cari Tikka	Phone: 360-725-1181	Date: 03/29/2023
Agency Approval: Carl Yanagida	Phone: 360-725-5755	Date: 03/29/2023
OFM Review: Jason Brown	Phone: (360) 742-7277	Date: 03/29/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

See attached narrative.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

See attached narrative.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# HCA Fiscal Note

Bill Number: 5101 SSB AMH CSJR H-1731.1

HCA Request #: 23-219

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

AN ACT Relating to extraordinary medical placement for incarcerated individuals at the department of corrections.

The substitute bill striker makes the following changes to the bill:

Provides that, in addition to other qualifying conditions, an incarcerated individual may be authorized for an extraordinary medical placement when the individual has been assessed by two physicians and is determined to be either (1) affected by a permanent or degenerative medical condition to such a degree that the individual does not pose a threat to public safety and likely will not in the future, or (2) in ill health and is expected to die within six months and does not presently, and likely will not in the future, pose a threat to public safety. Removes language specifying that the requirement for electronic monitoring for an individual in extraordinary medical placement will be waived if the medical condition prevents the individual from being independently mobile.

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### II. B - Cash Receipts Impact

None

### II. C – Expenditures

None

This bill reenacts and amends RCW 9.94A.728 – Release Prior to Expiration of Sentence – to update terminology and provides that an incarcerated individual may be authorized for an extraordinary medical placement. Extraordinary medical placements are already covered under the Medicaid program, and therefore, the Health Care Authority (HCA) assumes this bill will have no fiscal impact.

## Part IV: Capital Budget Impact

None

## Part V: New Rule Making Require

None

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 5101 S SB 5101-S AMH CSJR H-1731.1	<b>Title:</b> DOC medical placements	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Lena Langer	Phone: 360-786-7192	Date: 03/24/2023
Agency Preparation: Mary Dettlaff	Phone: (360) 725-8428	Date: 04/05/2023
Agency Approval: Ronell Witt	Phone: (360) 489-4417	Date: 04/05/2023
OFM Review: Cynthia Hollimon	Phone: (360) 810-1979	Date: 04/06/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Senate Bill 5101-S AMH CSJR H1731.1 strikes everything after the enabling clause. Sec. 1. RCW 9.94A.728 and 2021 c 311 s 19 and 2021 c 266 s 2 are amended to have the following impacts to Department of Corrections (DOC):

Section (1)(1)(c)(i) adds the following conditions to be met in order for the Secretary to authorize extraordinary medical placement:

(A) The incarcerated individual has been assessed by two physicians and is determined to be one of the following:

(I) Affected by a permanent or degenerative medical condition to such a degree that the individual does not presently, and likely will not in the future, pose a threat to public safety; or

(II) In ill health and is expected to die within six months and does not presently, and likely will not in the future, pose a threat to public safety.

Substitute SB 5101 states the following:

Substitute Senate Bill 5101 updates the language in Section 1(1)(c)(i)(A) that defines one of the required conditions for extraordinary medical placement from “medical condition that is chronic or serious” to “permanent or terminal physical disability or medical condition that is serious and complex”.

SB 5101 states the following:

Senate Bill 5101 updates language from “person” or “offender” to “incarcerated individual” where appropriate in RCW 9.94.728, defines “low-risk” as it pertains to individuals who may need extraordinary medical placement; and adds language pertaining to the requirement of electronic monitoring.

Section 1 (B) clarifies language that low risk to the community can be assessed so long as certain criteria is met.

Section 1 (C)(iii) adds the electronic monitoring is not required if detrimental to the individual’s health, and/or the option for electronic monitoring be waived if the medical condition as certified by the treating physician prevents the individual from being independently mobile.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The Department of Corrections (DOC) assumes an indeterminate fiscal impact of \$50,000 or more.

The proposed bill language revision related to extraordinary medical placement has potential to require DOC to contract with a physician or physicians perform the required assessments, as DOC cannot predict when or if an individual qualifies for extraordinary medical placement, any costs associated with this change would be “trued-up” in a future decision package.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

#### III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

### Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*