

CHAPTER 5.

[ S. B. 10. ]

MEDICAL SERVICES—PUBLIC ASSISTANCE—MEDICALLY INDIGENT PERSONS.

AN ACT relating to state government; providing medical and related services to recipients of public assistance and medically indigent persons; prescribing powers and duties of certain state agencies in relation thereto; affecting the availability and confidentiality of records and reports; containing a subrogation provision; repealing sections 74.08.140 to 74.08.200, RCW, inclusive, and sections 36.39.020 and 36.62.260, RCW; and declaring an emergency.

*Be it enacted by the Legislature of the State of Washington:*

Administrative responsibility for medical services placed with department of health.

SECTION 1. On and after April 1, 1953, administrative responsibility for providing for needed medical, dental and allied services to recipients of public assistance and medical indigents shall be the responsibility of the state department of health. "Medical indigents" are persons without income or resources sufficient to secure necessary medical services.

Determination of eligibility for public assistance.

SEC. 2. The determination of eligibility of recipients for public assistance shall be the responsibility of the department of public assistance and that department shall promptly notify the department of health of the names of persons who are eligible and those who are no longer on the eligible list. Eligible persons shall be entitled to medical services as defined by the welfare medical care committee.

Determination of eligibility for medical services.

The determination of eligibility of medical indigents shall be the responsibility of the department of health in accordance with the standards established by the welfare medical care committee. The department of health is empowered to employ the necessary personnel to carry out the standards established.

SEC. 3. In carrying out the administrative responsibility of the act, the department of health may con-

tract with an individual or a group, may utilize existing local county or district departments of health, or establish separate welfare medical care offices on a county or multi-county unit basis as found necessary.

Administrative responsibility; how carried out.

SEC. 4. (1) The department of health may utilize county hospitals and county infirmaries as determined necessary. County institutions so used shall submit a county hospitalization budget and/or infirmary budget to the state director of health not less than forty days prior to the time county budgets are finally approved and adopted by the county commissioners. He shall consider the proposed budget or budgets and return it or them to the commissioners with his recommendations within thirty days of its receipt by him. The commissioners shall be empowered to adopt as the final budget the proposed budget or budgets as submitted by the board or boards of trustees, the recommended budget or budgets of the state director of health or such budget or budgets as the county commissioners themselves determine to adopt: *Provided*, That if the total of the budget or budgets as finally adopted shall be in excess of the total of the budget or budgets as recommended by the state director of health, the said director may withhold from the county the amount of the excess over and above the total set forth in his recommended budget or budgets.

Utilization of county hospitals and infirmaries.

Budgets recommended by state, counties or county commissioners.

County hospitals and county infirmaries financed by state funds shall be empowered to accept and care for eligible patients from any other county in the state.

Patients from other counties.

(2) The department of health shall provide for necessary physicians' services and hospital care as defined by the welfare medical care committee, and may provide such allied services as dental services, ambulance services, drugs, medical supplies, nursing service in the home, nursing home care, (except sub-

Medical services available as defined by welfare medical care committee.

sistence which shall be the responsibility of the department of social security) and other appliances as determined by the welfare medical care committee, who shall take into consideration the appropriations available.

Evaluation of employability.

(3) In addition the department of health shall provide (a) for evaluation of employability when a person is applying for public assistance representing a medical condition as the basis for need, and (b) for medical evaluation of total and permanent disability as requested by the department of public assistance. It shall further provide for medical consultation and assistance in the determination of the need for special diets, housekeeper and attendants' services, and other requirements as found necessary because of a medical condition under rules established by the welfare medical care committee.

Evaluation of disability at request of department of public assistance.

State welfare medical care committee established.

SEC. 5. There is hereby established a state welfare medical care committee composed of twelve members, six members representing the major providers of medical service, one a legislator, one a county commissioner, and the remaining four from the public. Members shall be appointed by the governor and serve at his pleasure and they shall be entitled to actual and necessary traveling and subsistence expenses not to exceed ten dollars per day while carrying out the functions of this committee.

Members appointed by governor.

Duties.

The committee shall advise and give assistance to the director of health in planning and carrying out the most efficient and economical welfare medical care program. It shall assist the director of health in preparing and presenting the biennial appropriation request to the governor and the legislature.

County or district medical care committees.

The department of health may establish county or district welfare medical care committees on a county or district basis. Such committees shall advise and assist the local office of the state department of health in carrying out the standards, rules and

regulations established by the welfare medical care committee and the administrative policies of the department. Such committees shall be composed of not more than eight members and may have equal representation from the providers of medical service and the public. Appointments are to be made by the director of health and the department shall pay their necessary travel and subsistence expenses not to exceed ten dollars per day when engaged in the work of the committee out of funds appropriated to the department.

Duties.

Composition.

Appoint-  
ments.

The department may employ local professional auditing committees to assist the local office of the state department of health. Such members shall be appointed by the director of health, and may be paid for their services and reimbursed for their necessary travel and subsistence expenses incurred in the performance of their duties.

Employment  
of local  
professional  
auditing  
committees.

SEC. 6. The department of health may employ administrative personnel in both state and local offices and employ the services of professional screeners and consultants as found necessary.

Administra-  
tive  
personnel  
and  
screeners.

The department is further empowered to establish minimum standards of operation and care for institutions including hospitals participating in this program. Institutions which do not meet such standards shall not be used in the program. Standards so established shall be filed with the secretary of state and shall become effective thirty days thereafter.

Standards  
for hospitals,  
etc.,  
established  
by health  
department.

SEC. 7. The department of health shall be responsible for the administration of the welfare medical care program but shall not employ personnel to render direct medical care service.

Employment  
of personnel  
to render  
direct  
medical care  
prohibited.

SEC. 8. The department may purchase necessary physician and dentist services by contract or on a fee for service basis. The department shall purchase hospital care by contract or at not more than the

Purchase of  
physician  
and dental  
services.

Hospital care services.

minimum ward rate of each hospital after approval of the rate by the department of health. Any hospital when requested by the department shall supply such information as necessary to justify its rate. All additional services provided by the hospital shall be purchased at rates agreed upon by the hospital and the department.

Other services.

All other services and supplies including drugs, provided under the program shall be secured generally through customary trade channels in accordance with agreements between the vendor and the department.

Minimum standards of care established by state welfare medical care committee.

SEC. 9. The state welfare medical care committee may prescribe by regulation the minimum standards of care to be provided by the various vendor groups and other standards and rules and regulations as may be necessary to carry out the provisions of this act. Such rules, regulations and standards so prescribed shall be filed with the secretary of state and shall become effective thirty days thereafter.

The committee shall further advise the department of health on policies and rules and regulations governing the administration of the program.

Analysis of program provided by health department.

SEC. 10. The department of health shall annually provide the committee, the governor and legislature with a full statistical and financial analysis of the program which shall set forth the amount of service provided, utilization and expenditures by groups served, and kind of services provided.

Personnel covered by merit system.

SEC. 11. All personnel employed in the administration of the medical care program shall be covered by the existing merit system under the state personnel board or its successor.

SEC. 12. Each vendor or group who has a contract and is rendering service to eligible persons as defined in this act shall submit such charges as agreed upon between the department and the individual or group

on a monthly basis and shall present their final charges not less than sixty days after the termination of service. If the final charges are not presented within the sixty day period they shall not be a charge against the state unless previous extension in writing has been given by the department of health.

Charges of groups rendering medical services.

SEC. 13. All of the records and reports of the department of health or of the department of public assistance relative to the administration of the program covered by this act shall be available to the state advisory committee and the county advisory committees created by sections 9 and 11, chapter 174, Laws of 1953, subject to all of the restrictions of confidentiality of RCW 74.04.060 as amended by section 7, chapter 174, Laws of 1953.

Records and reports made available to state advisory committee.

SEC. 14. If assistance furnished to any recipient under this act is occasioned by negligence or wrong of another the state shall be subrogated to the recipient's right of recovery therefor to the extent of the value of the assistance furnished thereby.

Subrogation right of the state.

SEC. 15. Sections 74.08.140 to 74.08.200, RCW, inclusive, as derived from section 7, chapter 1, Laws of 1951, and section 36.62.260, RCW, as derived from section 2, chapter 256, Laws of 1951, and section 36.39.020, RCW, as derived from section 2701 of the Code of 1881, are repealed.

Repealing clause.

SEC. 16. This act is necessary for the immediate preservation of the public peace, health and safety, and for the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate March 20, 1953.

Passed the House March 20, 1953.

Approved by the Governor March 27, 1953.