
SENATE BILL 6585

State of Washington

66th Legislature

2020 Regular Session

By Senators Zeiger, Walsh, Darneille, and O'Ban

1 AN ACT Relating to encouraging the use of medication-assisted
2 treatment within jails; and reenacting and amending RCW 71.24.580.

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

4 **Sec. 1.** RCW 71.24.580 and 2019 c 415 s 980, 2019 c 325 s 1040,
5 and 2019 c 314 s 27 are each reenacted and amended to read as
6 follows:

7 (1) The criminal justice treatment account is created in the
8 state treasury. Moneys in the account may be expended solely for: (a)
9 Substance use disorder treatment and treatment support services for
10 offenders with a substance use disorder that, if not treated, would
11 result in addiction, against whom charges are filed by a prosecuting
12 attorney in Washington state; (b) the provision of substance use
13 disorder treatment services and treatment support services for
14 nonviolent offenders within a drug court program; and (c) the
15 administrative and overhead costs associated with the operation of a
16 drug court. Amounts provided in this subsection must be used for
17 treatment and recovery support services for criminally involved
18 offenders and authorization of these services shall not be subject to
19 determinations of medical necessity. During the 2017-2019 fiscal
20 biennium, the legislature may direct the state treasurer to make
21 transfers of moneys in the criminal justice treatment account to the

1 state general fund. During the 2019-2021 fiscal biennium, the
2 legislature may direct the state treasurer to make transfers of
3 moneys in the criminal justice treatment account to the home security
4 fund account created in RCW 43.185C.060. It is the intent of the
5 legislature to continue the policy of transferring moneys from the
6 criminal justice treatment account to the home security fund account
7 in subsequent biennia. Moneys in the account may be spent only after
8 appropriation.

9 (2) For purposes of this section:

10 (a) "Treatment" means services that are critical to a
11 participant's successful completion of his or her substance use
12 disorder treatment program, including but not limited to the recovery
13 support and other programmatic elements outlined in RCW 2.30.030
14 authorizing therapeutic courts; and

15 (b) "Treatment support" includes transportation to or from
16 inpatient or outpatient treatment services when no viable alternative
17 exists, and child care services that are necessary to ensure a
18 participant's ability to attend outpatient treatment sessions.

19 (3) Revenues to the criminal justice treatment account consist
20 of: (a) Funds transferred to the account pursuant to this section;
21 and (b) any other revenues appropriated to or deposited in the
22 account.

23 (4) (a) For the fiscal year beginning July 1, 2005, and each
24 subsequent fiscal year, the state treasurer shall transfer eight
25 million two hundred fifty thousand dollars from the general fund to
26 the criminal justice treatment account, divided into four equal
27 quarterly payments. For the fiscal year beginning July 1, 2006, and
28 each subsequent fiscal year, the amount transferred shall be
29 increased on an annual basis by the implicit price deflator as
30 published by the federal bureau of labor statistics.

31 (b) In each odd-numbered year, the legislature shall appropriate
32 the amount transferred to the criminal justice treatment account in
33 (a) of this subsection to the department for the purposes of
34 subsection (5) of this section.

35 (5) Moneys appropriated to the authority from the criminal
36 justice treatment account shall be distributed as specified in this
37 subsection. The authority may retain up to three percent of the
38 amount appropriated under subsection (4) (b) of this section for its
39 administrative costs.

1 (a) Seventy percent of amounts appropriated to the authority from
2 the account shall be distributed to counties pursuant to the
3 distribution formula adopted under this section. The authority, in
4 consultation with the department of corrections, the Washington state
5 association of counties, the Washington state association of drug
6 court professionals, the superior court judges' association, the
7 Washington association of prosecuting attorneys, representatives of
8 the criminal defense bar, representatives of substance use disorder
9 treatment providers, and any other person deemed by the authority to
10 be necessary, shall establish a fair and reasonable methodology for
11 distribution to counties of moneys in the criminal justice treatment
12 account. County or regional plans submitted for the expenditure of
13 formula funds must be approved by the panel established in (b) of
14 this subsection.

15 (b) Thirty percent of the amounts appropriated to the authority
16 from the account shall be distributed as grants for purposes of
17 treating offenders against whom charges are filed by a county
18 prosecuting attorney. The authority shall appoint a panel of
19 representatives from the Washington association of prosecuting
20 attorneys, the Washington association of sheriffs and police chiefs,
21 the superior court judges' association, the Washington state
22 association of counties, the Washington defender's association or the
23 Washington association of criminal defense lawyers, the department of
24 corrections, the Washington state association of drug court
25 professionals, and substance use disorder treatment providers. The
26 panel shall review county or regional plans for funding under (a) of
27 this subsection and grants approved under this subsection. The panel
28 shall attempt to ensure that treatment as funded by the grants is
29 available to offenders statewide.

30 (6) The county alcohol and drug coordinator, county prosecutor,
31 county sheriff, county superior court, a substance abuse treatment
32 provider appointed by the county legislative authority, a member of
33 the criminal defense bar appointed by the county legislative
34 authority, and, in counties with a drug court, a representative of
35 the drug court shall jointly submit a plan, approved by the county
36 legislative authority or authorities, to the panel established in
37 subsection (5)(b) of this section, for disposition of all the funds
38 provided from the criminal justice treatment account within that
39 county. The submitted plan should incorporate current evidence-based
40 practices in substance use disorder treatment. The funds shall be

1 used solely to provide approved alcohol and substance use disorder
2 treatment pursuant to RCW 71.24.560 and treatment support services.
3 No more than ten percent of the total moneys received under
4 subsections (4) and (5) of this section by a county or group of
5 counties participating in a regional agreement shall be spent for
6 treatment support services.

7 (7) Counties are encouraged to consider regional agreements and
8 submit regional plans for the efficient delivery of treatment under
9 this section.

10 (8) Moneys allocated under this section shall be used to
11 supplement, not supplant, other federal, state, and local funds used
12 for substance abuse treatment.

13 (9) If a region or county uses criminal justice treatment account
14 funds to support a therapeutic court, the therapeutic court must
15 allow the use of all medications approved by the federal food and
16 drug administration for the treatment of opioid use disorder as
17 deemed medically appropriate for a participant by a medical
18 professional. If appropriate medication-assisted treatment resources
19 are not available or accessible within the jurisdiction, the health
20 care authority's designee for assistance must assist the court with
21 acquiring the resource.

22 (10) For a county or region to be eligible to receive criminal
23 justice treatment account funds under this section, all county jails
24 within the county or region must allow the use of all medications
25 approved by the federal food and drug administration for the
26 treatment of opioid use disorders as deemed appropriate by a medical
27 professional during the custody period, and allow for such treatment
28 to be initiated during the custody period for jail inmates when
29 medically appropriate for the treatment of an opioid use disorder.

30 (11) Counties must meet the criteria established in RCW
31 2.30.030(3).

32 (~~(11)~~) (12) The authority shall annually review and monitor the
33 expenditures made by any county or group of counties that receives
34 appropriated funds distributed under this section. Counties shall
35 repay any funds that are not spent in accordance with the
36 requirements of its contract with the authority.

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