



Sheriff Jim Coats

Pinellas County Sheriff's Office

"Leading The Way For A Safer Pinellas"

Proposed 2010 Legislation - Senate Bill 218 and House Bill 319

Proposed legislation would place a reasonable cap on what medical providers can bill counties and municipalities for medical care provided to indigent jail inmates, at a savings for taxpayers.

Background: Florida jails are required to provide reasonable and adequate medical care to an inmate of a county or municipal detention facility, but they are not responsible for payment for such treatment where the inmate is able to pay. Rather, by law, the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for any person ill, wounded, or otherwise injured individual incarcerated in a county or municipal jail is the responsibility of the person receiving such care. Only where the inmate is indigent will the responsibility for payment shift to the county or municipality – the taxpayers. However, while the inmate is indigent, the healthcare providers bill the taxpayers at the full freight, reasonable and customary rate – a rate that in other situations is regularly discounted for insurance companies and even other uninsured individuals. We believe this is unfair to the taxpayer because if the same person – now an inmate – was not incarcerated, the medical provider would receive a deeply discounted rate through Medicaid, Medicare, or indigent health.

Legislative Goal: As taxpayers, we cannot ignore this misuse of public funds. Senate Bill 218 and House Bill 319 place a reasonable cap on what medical providers may bill counties and municipalities – you the taxpayer – for medical care provided to indigent inmates. Please contact your legislators and voice your concern and support for these bills.

This bill was initiated by Sheriff Jim Coats of Pinellas County and is sponsored by the following Pinellas County Legislative Delegation:

Senate Sponsor: Dennis L. Jones

House Co-Sponsors: Ed Hooper & Darryl Ervin Rouson

By Senator Jones

13-00362-10

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1 A bill to be entitled
 2 An act relating to medical expenses of inmates paid by
 3 a county or municipality; amending s. 901.35, F.S.;
 4 requiring that payments made by a county or
 5 municipality to a provider for certain services for an
 6 arrested person be made at the state's Medicaid rate;
 7 providing an effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Subsection (2) of section 901.35, Florida
 12 Statutes, is amended to read:

13 901.35 Financial responsibility for medical expenses.—

14 (2) Upon a showing that reimbursement from the sources
 15 listed in subsection (1) is not available, the costs of medical
 16 care, treatment, hospitalization, and transportation shall be
 17 paid:

18 (a) From the general fund of the county in which the person
 19 was arrested, if the arrest was for violation of a state law or
 20 county ordinance; or

21 (b) From the municipal general fund, if the arrest was for
 22 violation of a municipal ordinance.

23
 24 The responsibility of a county or municipality to pay for
 25 ~~payment of~~ such medical costs shall exist only until such time
 26 as an arrested person is released from the custody of the
 27 arresting agency. Absent a formal written agreement between a
 28 county or municipality and a provider, any payments made by the
 29 county or municipality under this section to the provider for

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30 medical care, treatment, hospitalization, and transportation of
31 an arrested person shall be made at the state's Medicaid rate
32 for such services.

33 Section 2. This act shall take effect July 1, 2010.

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2010

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