

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1487

Introduced by Assembly Member Hill

February 27, 2009

An act to amend Section 4011.2 of the Penal Code, relating to inmate medical costs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1487, as amended, Hill. Inmate medical expenses.

Under existing law, a sheriff, chief or director of corrections, or a chief of police is authorized to charge a fee in the amount of \$3 for each inmate-initiated medical visit of an inmate confined in a county or city jail who has money in his or her personal account. Existing law authorizes the medical provider to waive the fee, requires the medical provider to waive the fee in any life-threatening or emergency situation, as defined, exempts followup medical visits from the fee, and requires all moneys received pursuant to this provision to be transferred to the county or city general fund.

Existing law requires that the above fee be charged to the inmate's account at his or her respective facility and prohibits a denial of medical care to an inmate because of a lack of funds in that account.

This bill would increase the above fee to \$6. *The bill would require that any amount collected for an inmate-initiated medical visit in excess of \$3 be placed into the county inmate welfare fund.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4011.2 of the Penal Code is amended to
2 read:

3 4011.2. (a) Notwithstanding Section 4011.1, a sheriff, chief
4 or director of corrections, or chief of police is authorized to charge
5 a fee in the amount of six dollars (\$6) for each inmate-initiated
6 medical visit of an inmate confined in a county or city jail.

7 (b) The fee shall be charged to the inmate’s personal account
8 at the facility. If the inmate has no money in his or her personal
9 account, there shall be no charge for the medical visit.

10 (c) An inmate shall not be denied medical care because of a
11 lack of funds in his or her personal account at the facility.

12 (d) The medical provider may waive the fee for any
13 inmate-initiated treatment and shall waive the fee in any
14 life-threatening or emergency situation, defined as those health
15 services required for alleviation of severe pain or for immediate
16 diagnosis and treatment of unforeseen medical conditions that if
17 not immediately diagnosed and treated could lead to disability or
18 death.

19 (e) Followup medical visits at the direction of the medical staff
20 shall not be charged to the inmate.

21 (f) ~~All moneys~~ *Moneys* received by a sheriff, chief or director
22 of corrections, or chief of police pursuant to this section shall be
23 ~~transferred to the county or city general fund.~~ *distributed as*
24 *follows:*

25 (1) *The first three dollars (\$3) collected for an inmate-initiated*
26 *medical visit shall be transferred to the county or city general*
27 *fund.*

28 (2) *Any amount over three dollars (\$3) collected for an*
29 *inmate-initiated medical visit shall be placed into the inmate*
30 *welfare fund created pursuant to Section 4025.*

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