

AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 681

Introduced by Assembly Member Melendez

February 21, 2013

An act to amend Section 4011.2 of the Penal Code, relating to county jails.

LEGISLATIVE COUNSEL'S DIGEST

AB 681, as amended, Melendez. County inmates: medical visits.

Existing law authorizes a city or county to make claim for and recovery of the costs of necessary hospital, medical, surgical, dental, or optometric care rendered to any prisoner confined in a county or city jail, who would otherwise be entitled to that care under the Medi-Cal program, as specified, or under the provisions of any private program or policy. Existing law provides that the city or county is only liable for the costs of that care that cannot be recovered. Existing law also authorizes a sheriff, chief or director of corrections, or chief of police 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. Existing law provides that the fee is charged to the inmate's personal account at the facility, and that, if the inmate does not have any money in his or her personal account, there is no charge for the medical visit. Existing law also provides that an inmate shall not be denied medical care because of a lack of funds in his or her personal account at the facility.

This bill would instead authorize a fee in the amount of ~~\$10~~ \$5 for each inmate-initiated medical visit of an inmate confined in a county or city jail, except as specified.

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 ~~ten~~ *five* dollars ~~(\$10)~~ (\$5) for each
- 6 inmate-initiated medical visit of an inmate confined in a county
- 7 or city jail.
- 8 (b) The fee shall be charged to the inmate’s personal account
- 9 at the facility. If the inmate does not have any money in his or her
- 10 personal account, there shall be no charge for the medical visit.
- 11 (c) An inmate shall not be denied medical care because of a
- 12 lack of funds in his or her personal account at the facility.
- 13 (d) The medical provider may waive the fee for any
- 14 inmate-initiated treatment and shall waive the fee in any
- 15 life-threatening or emergency situation, defined as those health
- 16 services required for alleviation of severe pain or for immediate
- 17 diagnosis and treatment of unforeseen medical conditions that if
- 18 not immediately diagnosed and treated could lead to disability or
- 19 death.
- 20 (e) Followup medical visits at the direction of the medical staff
- 21 shall not be charged to the inmate.
- 22 (f) All moneys received by a sheriff, chief or director of
- 23 corrections, or chief of police pursuant to this section shall be
- 24 transferred to the county or city general fund.

O