

AMENDED IN ASSEMBLY APRIL 18, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2261

Introduced by Assembly Member Valadao

February 24, 2012

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2261, as amended, Valadao. 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 ~~revise the provision authorizing 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, and would instead authorize those persons to~~

~~establish and charge a single, standardized fee a fee in the amount of \$5 for each inmate-initiated medical visit of an inmate confined in a county or city jail, except as specified. The bill would require that the same fee charged be charged to all inmates, except as otherwise provided under existing law. The bill would prohibit the fee from exceeding the reasonable costs incurred by the facility as a result of the visit.~~

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

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