

Board of County Commissioners

Agenda Request

Date of Meeting: February 16, 2010

Date Submitted: January 29, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Jennifer Langston, Special Projects Coordinator
Eric Eddy, County Administration Intern

Subject: Board Approval to Support State Legislation, related to County Inmate Medical Expenses (Senate Bill 218/House Bill 319)

Statement of Issue:

This agenda item seeks Board Approval in support of State Legislation, related to County Inmate Medical Expenses (Senate Bill 218/House Bill 319).

Background:

The Florida Association of Counties has requested Counties to express support for SB 218/HB 319 (Attachment #1). SB 218/ HB 319 would make changes to the funding requirements placed on counties regarding medical expenses for individuals under arrest or in county detention facilities.

Florida Statutes

Section 901.35, Florida Statutes require that Counties and Sheriffs provide medical services to persons who have been charged with a crime, or who are being held in county detention facilities.

The current statute states that an insurance company or the person injured must pay the required medical bill. However, if costs are not recovered from either of these parties and when no contract exists between a county detention facility and a third-party-provider; the third party may seek reimbursement from the county's general fund. This in effect provides for that local governments are responsible for paying full fee rates to medical providers for persons who may otherwise receive indigent fee rates.

Historical Expenditures

Inmate medical expenditures are accounted for under the Human Services Fund in the Budget, as "Local Prisoner Medical Chgs."

FY2007 Actual	FY2008 Actual	FY 2009 Budget	FY2009 Actual (3/31/2009)	FY 2010 Budget
\$ 156,719	\$ 243,024	\$ 160,000	\$ 40,159	\$ 140,000

Analysis:

The proposals in the Senate and House Bills would place a cap on inmate medical expenditures by Sheriff's Offices at 110% of the Medicare allowable rate or the maximum Medicaid rate, respectively, for medical services. In addition, language would be changed in statute to limit medical care to the time that an arrested person is in custody of the arresting agency. Language is included in the proposal ensuring that the maximum allowable rate does not apply to emergency room services.

Budget

As referenced above, expenses have ranged from \$156,719 to \$243,024. The exact amount of savings that would result from these bills is unknown at this time. However, if SB 218 and HB 219 are passed, there will be a structure in place to regulate the maximum individual medical charges incurred.

Options:

1. Approve support of SB 218 and HB 319.
2. Do not approve support of SB 218 and HB 319
3. Board direction

Recommendation:

Option #1.

Attachment(s):

1. Senate Bill 218/House Bill 319