

476--A

Cal. No. 410

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. NOZZOLIO, LARKIN, MAZIARZ, O'MARA, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the correction law, in relation to requiring inmates to make medical co-payments

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The correction law is amended by adding a new section 607
2 to read as follows:
3 S 607. MEDICAL TREATMENT CO-PAYMENT. 1. AN INMATE OF AN INSTITUTION OF
4 THE DEPARTMENT OR ANY COUNTY-OWNED OR OPERATED LOCAL CORRECTIONAL FACIL-
5 ITY SHALL MAKE A MEDICAL CO-PAYMENT IN THE AMOUNT OF SEVEN DOLLARS UPON
6 RECEIPT OF MEDICAL TREATMENT.
7 2. EACH INMATE SHALL BE REQUIRED TO SIGN A LOG DOCUMENTING THE SCHED-
8 ULED TIME OF VISIT, INMATE NAME AND ID NUMBER AND DESCRIPTION OF
9 COMPLAINT.
10 3. EACH MEDICAL CO-PAYMENT SHALL BE POSTED TO THE INMATES' ACCOUNTS
11 EITHER AS MEDICAL OR DENTAL CHARGES TO FACILITATE RESPONSE TO INMATE
12 QUERIES.
13 4. EACH INMATE SHALL BE SENT AN ACCOUNT STATEMENT AT THE END OF EACH
14 MONTH SHOWING ALL CREDITS AND DEBITS AGAINST THE ACCOUNT AND ACCOMPANY-
15 ING EXPLANATIONS.
16 5. SHOULD AN INMATE NOT HAVE SUFFICIENT FUNDS IN HIS OR HER ACCOUNT TO
17 COVER THE CHARGES, THEN HIS OR HER ACCOUNT SHALL BE FROZEN PENDING
18 RECEIPT OF FUNDS SUFFICIENT TO SATISFY HIS OR HER OBLIGATION.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 6. AN INMATE SHALL NOT BE REFUSED TREATMENT FOR LACK OF ABILITY TO PAY
2 CO-PAYMENT CHARGES. THE CHARGE IS ASSESSED AFTER COMPLETION OF THE VISIT
3 WHEN THE VISIT LOG IS PROCESSED.

4 7. INMATES ARE NOT ASSESSED CO-PAYMENT CHARGES FOR PSYCHIATRIC VISITS.

5 8. FEDERAL INMATES WILL BE BILLED DIRECTLY TO THE JURISDICTION WHICH
6 WAS AGREED TO BY THE FEDERAL AGENCY. SUBSEQUENTLY FEDERAL BOARDERS WILL
7 NOT BE ASSESSED CO-PAYMENT IF THAT JURISDICTION IS PAYING THE DEPARTMENT
8 A SPECIFIC PER DIEM TO HOUSE EACH INMATE.

9 9. ALL MONEYS COLLECTED PURSUANT TO THIS SECTION WILL BE MADE AVAIL-
10 ABLE FOR THE OPERATION OF THE CORRECTIONAL FACILITY.

11 10. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY
12 FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SECTION.

13 S 2. This act shall take effect on the one hundred twentieth day after
14 it shall have become a law, except that any rule or regulation necessary
15 for the timely implementation of this act on its effective date shall be
16 promulgated on or before such date.