S T A T E O F N E W Y O R K

4811

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

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:

Section 1. The correction law is amended by adding a new section 607 to read as follows:

S 607. MEDICAL TREATMENT CO-PAYMENT. 1. AN INMATE OF AN INSTITUTION OF THE DEPARTMENT SHALL MAKE A MEDICAL CO-PAYMENT IN THE AMOUNT OF TEN DOLLARS UPON RECEIPT OF MEDICAL TREATMENT.

2. EACH INMATE SHALL BE REQUIRED TO SIGN A LOG DOCUMENTING THE SCHEDULED TIME OF VISIT, INMATE NAME AND ID NUMBER AND DESCRIPTION OF COMPLAINT.

3. EACH MEDICAL CO-PAYMENT SHALL BE POSTED TO THE INMATES' ACCOUNTS EITHER AS MEDICAL OR DENTAL CHARGES TO FACILITATE RESPONSE TO INMATE QUERIES.

4. EACH INMATE SHALL BE SENT AN ACCOUNT STATEMENT AT THE END OF EACH MONTH SHOWING ALL CREDITS AND DEBITS AGAINST THE ACCOUNT AND ACCOMPANYING EXPLANATIONS.

5. SHOULD AN INMATE NOT HAVE SUFFICIENT FUNDS IN HIS OR HER ACCOUNT TO COVER THE CHARGES, THEN HIS OR HER ACCOUNT SHALL BE FROZEN PENDING RECEIPT OF FUNDS SUFFICIENT TO SATISFY HIS OR HER OBLIGATION.

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

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

8. FEDERAL INMATES WILL BE BILLED DIRECTLY TO THE JURISDICTION WHICH WAS AGREED TO BY THE FEDERAL AGENCY. SUBSEQUENTLY FEDERAL BOARDERS WILL

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

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NOT BE ASSESSED CO-PAYMENT IF THAT JURISDICTION IS PAYING THE DEPARTMENT A SPECIFIC PER DIEM TO HOUSE EACH INMATE.

9. ALL MONEYS COLLECTED PURSUANT TO THIS SECTION WILL BE MADE AVAILABLE FOR THE OPERATION OF THE CORRECTIONAL FACILITY.

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

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