

STATE OF NEW YORK

4529

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. GALLAHAN -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to requiring incarcerated individuals 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 608
2 to read as follows:

3 § 608. Medical treatment co-payment. 1. A person incarcerated in an
4 institution of the department or any county-owned or operated local
5 correctional facility shall make a medical co-payment in the amount of
6 seven dollars upon receipt of medical treatment.

7 2. Each incarcerated individual shall be required to sign a log docu-
8 menting the scheduled time of visit, inmate name and ID number and
9 description of complaint.

10 3. Each medical co-payment shall be posted to the incarcerated indi-
11 viduals' accounts either as medical or dental charges to facilitate
12 response to inmate queries.

13 4. Each incarcerated individual shall be sent an account statement at
14 the end of each month showing all credits and debits against the account
15 and accompanying explanations.

16 5. Should an incarcerated individual not have sufficient funds in
17 their account to cover the charges, then their account shall be frozen
18 pending receipt of funds sufficient to satisfy their obligation.

19 6. An incarcerated individual shall not be refused treatment for lack
20 of ability to pay co-payment charges. The charge is assessed after
21 completion of the visit when the visit log is processed.

22 7. Incarcerated individuals are not assessed co-payment charges for
23 psychiatric visits.

24 8. Federal incarcerated individuals will be billed directly to the
25 jurisdiction which was agreed to by the federal agency. Subsequently

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

LBD07176-01-5

1 federal boarders will not be assessed co-payment if that jurisdiction is
2 paying the department a specific per diem to house each incarcerated
3 individual.

4 9. All moneys collected pursuant to this section will be made avail-
5 able for the operation of the correctional facility.

6 10. The commissioner shall promulgate rules and regulations necessary
7 for the implementation of the provisions of this section.

8 § 2. This act shall take effect on the one hundred twentieth day after
9 it shall have become a law. Effective immediately, the addition, amend-
10 ment and/or repeal of any rule or regulation necessary for the implemen-
11 tation of this act on its effective date are authorized to be made and
12 completed on or before such effective date.