

By Senator Crist

20-1317-98

See HB 3215

1 A bill to be entitled
 2 An act relating to corrections; requiring a
 3 state correctional institution, or the
 4 Department of Corrections acting in its behalf,
 5 to seek reimbursement for costs of
 6 incarceration of a prisoner, including certain
 7 medical and dental expenses, which have not
 8 been reimbursed as otherwise provided by law;
 9 specifying order of sources of reimbursement;
 10 providing for deduction of the costs from the
 11 prisoner's cash account, placement of a lien
 12 against the account or the prisoner's other
 13 personal property, or reimbursement from the
 14 proceeds of the prisoner's insurance policy,
 15 health care corporation proceeds, or other
 16 source; providing that the lien may be carried
 17 over to future incarceration under certain
 18 circumstances; requiring the prisoner to
 19 cooperate with such reimbursement efforts;
 20 providing for sanctions in case of willful
 21 refusal to cooperate, including placement of a
 22 lien against the prisoner's cash account or
 23 other personal property and ineligibility to
 24 receive gain-time; providing an effective date.

25
 26 Be It Enacted by the Legislature of the State of Florida:

27
 28 Section 1. Financial responsibility for costs of
 29 incarceration, including medical or dental expenses.--
 30 (1) A state correctional institution, or the
 31 Department of Corrections acting in its behalf, which incurs

1 costs of incarceration for a prisoner which have not been
2 reimbursed as otherwise provided for by law, including costs
3 of providing medical or dental care, treatment,
4 hospitalization, or transportation, may seek reimbursement for
5 the costs of incarceration, including such expenses incurred,
6 in the following order:

7 (a) From the prisoner by deducting the cost from the
8 prisoner's cash account on deposit with the state correctional
9 institution. If the prisoner's cash account does not contain
10 sufficient funds to cover the costs of incarceration,
11 including such expenses, the state correctional institution or
12 the department may place a lien against the prisoner's cash
13 account or other personal property to provide payment in the
14 event sufficient funds become available at a later time. Any
15 existing lien may be carried over to future incarceration of
16 the same prisoner, except as otherwise provided by law.

17 (b) From an insurance company, health care
18 corporation, or other source if the prisoner or person is
19 covered by an insurance policy or subscribes to a health care
20 corporation or other source for those expenses.

21 (2) A prisoner shall cooperate with the state
22 correctional institution and the department in seeking
23 reimbursement under paragraphs(1)(a) and (b) for expenses
24 incurred by the state correctional institution for the
25 prisoner. A prisoner who willfully refuses to cooperate with
26 the reimbursement efforts of the state correctional
27 institution may have a lien placed against the prisoner's cash
28 account or other personal property and may not receive
29 gain-time as provided by s. 944.275, Florida Statutes.

30 Section 2. This act shall take effect October 1 of the
31 year in which enacted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

LEGISLATIVE SUMMARY

Requires a state correctional institution, or the Department of Corrections acting in its behalf, to seek reimbursement for costs of incarceration of a prisoner, including certain medical and dental expenses, which have not been reimbursed as otherwise provided by law. Provides for deduction of the costs from the prisoner's cash account, placement of a lien against the account or the prisoner's other personal property, or reimbursement from the proceeds of the prisoner's insurance policy, health care corporation proceeds, or other source. Provides that the lien may be carried over to future incarceration under certain circumstances. Requires the prisoner to cooperate with such reimbursement efforts, and provides for sanctions in case of willful refusal to cooperate.