

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Trovillion offered the following:

Amendment (with title amendment)

On page 1, line 28,
remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Paragraphs (a), (b), (c), and (d) of
subsection (1) of section 945.215, Florida Statutes, are
amended to read:

945.215 Inmate welfare and employee benefit trust
funds.--

(1) INMATE WELFARE TRUST FUND; DEPARTMENT OF
CORRECTIONS.--

(a) The Inmate Welfare Trust Fund constitutes a trust
held by the department for the benefit and welfare of inmates
incarcerated in correctional facilities operated directly by
the department and for visitation and family programs and
services in such correctional facilities. Funds shall be
credited to the trust fund as follows:

1. All funds held in any auxiliary, canteen, welfare,

1 or similar fund in any correctional facility operated directly
2 by the department.

3 2. All net proceeds from operating inmate canteens,
4 vending machines used primarily by inmates and visitors, hobby
5 shops, and other such facilities; however, funds necessary to
6 purchase items for resale at inmate canteens and vending
7 machines must be deposited into local bank accounts designated
8 by the department.

9 3. All proceeds from contracted telephone commissions.
10 The department shall develop and update, as necessary,
11 administrative procedures to verify that:

12 a. Contracted telephone companies accurately record
13 and report all telephone calls made by inmates incarcerated in
14 correctional facilities under the department's jurisdiction;

15 b. Persons who accept collect calls from inmates are
16 charged the contracted rate; and

17 c. The department receives the contracted telephone
18 commissions.

19 4. Any funds that may be assigned by inmates or
20 donated to the department by the general public or an inmate
21 service organization; however, the department shall not accept
22 any donation from, or on behalf of, any individual inmate.

23 ~~5. Repayment of the one-time sum of \$500,000~~
24 ~~appropriated in fiscal year 1996-1997 from the Inmate Welfare~~
25 ~~Trust Fund for correctional work programs pursuant to s.~~
26 ~~946.008.~~

27 ~~5.6.~~ All proceeds from:

28 a. The confiscation and liquidation of any contraband
29 found upon, or in the possession of, any inmate;

30 b. Disciplinary fines imposed against inmates;

31 c. Forfeitures of inmate earnings; and

1 d. Unexpended balances in individual inmate trust fund
2 accounts of less than \$1.

3 ~~6.7.~~ All interest earnings and other proceeds derived
4 from investments of funds deposited in the trust fund. In the
5 manner authorized by law for fiduciaries, the secretary of the
6 department, or the secretary's designee, may invest any funds
7 in the trust fund when it is determined that such funds are
8 not needed for immediate use.

9 (b) Funds in the Inmate Welfare Trust Fund must be
10 used exclusively for the following purposes at correctional
11 facilities operated directly by the department:

12 1. To operate inmate canteens and vending machines,
13 including purchasing items for resale at inmate canteens and
14 vending machines; employing personnel and inmates to manage,
15 supervise, and operate inmate canteens and vending machines;
16 and covering other operating and fixed capital outlay expenses
17 associated with operating inmate canteens and vending
18 machines;

19 2. To employ personnel to manage and supervise the
20 proceeds from telephone commissions;

21 3. To develop, implement, and maintain the medical
22 copayment accounting system;

23 4. To provide literacy programs, vocational training
24 programs, and educational programs that comply with standards
25 of the Department of Education, including employing personnel
26 and covering other operating and fixed capital outlay expenses
27 associated with providing such programs;

28 5. To operate inmate chapels, faith-based programs,
29 visiting pavilions, visiting services and programs, family
30 services and programs, libraries, and law libraries, including
31 employing personnel and covering other operating and fixed

1 capital outlay expenses associated with operating inmate
2 chapels, faith-based programs, visiting pavilions, visiting
3 services and programs, family services and programs,
4 libraries, and law libraries;

5 6. To purchase and repair televisions and antennae to
6 be used in inmate common areas and visitation areas to provide
7 inmates and their visitors with limited access to non-cable
8 network programming.

9 ~~7.6.~~ To provide for expenses associated with various
10 inmate clubs;

11 ~~8.7.~~ To provide for expenses associated with legal
12 services for inmates;

13 ~~9.8.~~ To provide inmate substance abuse treatment
14 programs and transition and life skills training programs,
15 including employing personnel and covering other operating and
16 fixed capital outlay expenses associated with providing such
17 programs.

18 10. To purchase wellness equipment for use by inmates,
19 including equipment for team sports and fitness activities to
20 support wellness habits, to promote healthy behavior, and to
21 reduce idleness for better institutional management, but
22 excluding free weights.

23 (c) The Legislature shall annually appropriate the
24 funds deposited in the Inmate Welfare Trust Fund. It is the
25 intent of the Legislature that total annual expenditures for
26 providing literacy programs, vocational training programs, and
27 educational programs exceed the combined total annual
28 expenditures for operating inmate chapels, faith-based
29 programs, visiting pavilions, visiting services and programs,
30 televisions, television repairs, family services and programs,
31 libraries, and law libraries, covering expenses associated

1 with inmate clubs, and providing inmate substance abuse
2 treatment programs and transition and life skills training
3 programs.

4 (d) Funds in the Inmate Welfare Trust Fund or any
5 other fund may not be used to purchase cable television
6 service. Such funds may not generally be used, to rent or
7 purchase videocassettes or, videocassette recorders, or other
8 audiovisual or electronic equipment used primarily for
9 recreation purposes. This paragraph does not preclude the
10 purchase or rental of videocassettes or videocassette
11 recorders electronic or audiovisual equipment for inmate
12 training, or educational programs, or the amusement of
13 children in visitation areas.

14 Section 2. Section 945, Florida Statutes, is created
15 to read: Legislative intent--

16 (1) It is the intent of the Legislature that the
17 delivery of inmate health care be accomplished in accordance
18 with the commonly accepted standards within the professional
19 health community at large; be provided at a level comparable
20 to a Medicaid-service level of care, enhanced to include
21 dental, mental health, and pharmacy programs that are at least
22 equivalent to the level of care provided by the Office of
23 Health Services of the Department of Corrections; and be
24 provided in the most cost-effective manner possible. It is
25 also the intent of the Legislature to reduce and control the
26 escalating costs of inmate health care by implementing, in a
27 pilot project, the managed health care approach described in
28 this section and specifically authorized in the 2000-2001
29 General Appropriations Act. In managing the contract for the
30 Correctional Managed Health Care Pilot Program contract, the
31 Department of Corrections shall safeguard the state's interest

1 in providing lawfully adequate health care to inmates.

2 (2) Notwithstanding section 945.6031(2), Florida
3 Statutes, the Correctional Medical Authority shall conduct
4 surveys of the physical and mental health care system of each
5 prison that participates in the Correctional Managed Health
6 Care Pilot Program and shall report the survey findings to the
7 Governor, the President of the Senate, the Speaker of the
8 House of Representatives, and the Secretary of Corrections no
9 later than March 1, 2003.

10 (3)(a) The Correctional Managed Health Care Pilot
11 Program is established for the purpose of providing inmate
12 health care, including primary, convalescent, dental, and
13 mental health care, to inmates housed by the Department of
14 Corrections at the prisons located in the region designated by
15 the department as Region IV on March 1, 2000. The pilot
16 program shall:

17 1. Commence with a contract awarded to a private
18 health care vendor by the Department of Corrections, at the
19 department's discretion. The private health care vendor shall
20 provide services to inmates, except inmates housed in
21 institutions authorized under chapter 957, Florida Statutes,
22 at a level that is comparable to the level of care provided
23 under Medicaid. In addition, services shall be enhanced to
24 include dental, mental health, and pharmacy programs that are
25 at least equivalent to the level of care provided by the
26 Office of Health Services of the Department of Corrections.
27 The contract for the pilot project shall be terminated no
28 later than December 31, 2003.

29 2. Maintain lawfully adequate levels of inmate health
30 care and provide access to health care while achieving
31 substantial cost savings.

1 3. Adhere to the health care procedures, health care
2 plans, health service bulletins, and treatment protocols
3 relating to the provision of inmate health care services
4 adopted by the Department of Corrections.

5 (b) The private health care vendor shall provide the
6 names, addresses, and social security numbers and, upon
7 request, a complete set of fingerprints taken by an authorized
8 law enforcement agency, of all individuals who will be
9 employed by, or contracting with, the vendor within the
10 state's correctional system for the purpose of a background
11 check. The Department of Law Enforcement may accept such
12 fingerprints for the purpose of conducting a statewide and
13 national criminal history check and, to the extent provided by
14 law, to exchange state, multistate, and federal criminal
15 history records with the Department of Corrections.

16 (c) The Department of Corrections shall provide
17 training to the private health care vendor, any
18 subcontractors, and their respective employees with regard to
19 security requirements and health care recordkeeping to be
20 maintained by the vendor, subcontractor, or employees while
21 working within the state's correctional system. The
22 Correctional Medical Authority shall be available to assist
23 the private vendor in meeting the health care standards set
24 forth by the Department of Corrections.

25 (4) Section 768.28(10)(a), Florida Statutes, does not
26 apply to any vendor performing services under the Correctional
27 Managed Health Care Pilot Program. The vendor entering into a
28 contract under this section is liable in tort with respect to
29 the care of inmates under the Correctional Managed Health Care
30 Pilot Program and for any breach of contract. Sovereign
31 immunity may not be raised by a vendor, subcontractor, or

1 employee of the vendor or subcontractor, or by the insurer of
2 the vendor, subcontractor, or employee on their behalf, as a
3 defense in any action arising out of the performance of any
4 service under the terms of any contract entered under this
5 section or as a defense in tort, or any other application,
6 with respect to the care of inmates and for any breach of
7 contract.

8 (5) Each primary vendor or subcontractor entering into
9 an agreement under this section shall defend and indemnify the
10 state and the Department of Corrections, including their
11 officials, employees and agents, against any claim, loss,
12 damage, cost, charge, or expense arising out of any act,
13 action, neglect, or omission by the vendor or its agents or
14 employees during the performance of the contract, whether
15 direct or indirect, including, but not limited to, any tort or
16 civil rights liability. Proof of satisfactory insurance is
17 required in the request for proposal and resulting contract,
18 if any is awarded. The vendor shall provide a performance bond
19 in an amount to be specified in the request for proposal.

20 (6) The population of inmates housed in correctional
21 facilities within which the Correctional Managed Health Care
22 Pilot Program is operated shall be of a substantially similar
23 composition as those inmates who are housed in similar
24 facilities in the remainder of the state correctional system
25 with respect to their overall health, age, mental health, and
26 dental requirements.

27 (7) The prime vendor pharmaceutical contract of the
28 state shall be available to the private health care vendor
29 selected to operate the Correctional Managed Health Care Pilot
30 Program. However, the private health care vendor is not
31 required to use the state's prime vendor pharmaceutical

1 contract.

2 Section 3. Subsections (2), (3), and (4) of section
3 946.502, Florida Statutes, are amended to read:

4 946.502 Legislative intent with respect to operation
5 of correctional work programs.--

6 (2) It is further the intent of the Legislature that,
7 once one such nonprofit corporation is organized, no other
8 nonprofit corporation be organized for the purpose of carrying
9 out this part ~~ss. 946.502-946.518~~. In carrying out this part
10 ~~ss. 946.502-946.518~~, the corporation is not an "agency" within
11 the meaning of s. 20.03(11).

12 (3) It is further the intent of the Legislature that,
13 ~~by July 1, 1985,~~ the corporation shall lease ~~have leased~~ all
14 correctional work programs from the department.

15 (4) It is further the intent of the Legislature that
16 the state shall have a continuing interest in assuring
17 continuity and stability in the operation of correctional work
18 programs and that this part ~~ss. 946.502-946.518~~ be construed
19 in furtherance of such goals.

20 Section 4. Section 946.5025, Florida Statutes, is
21 amended to read:

22 946.5025 Authorization of corporation to enter into
23 contracts.--The corporation established under this part
24 ~~chapter~~ may enter into contracts to operate correctional work
25 programs with any county or municipal authority that operates
26 a correctional facility or with a contractor authorized under
27 chapter 944 or chapter 957 to operate a private correctional
28 facility. The corporation has the same powers, privileges, and
29 immunities in carrying out such contracts as it has under this
30 chapter.

31 Section 5. Section 946.5026, Florida Statutes, is

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1 amended to read:

2 946.5026 Sovereign immunity in tort actions.--The
3 provisions of s. 768.28 shall be applicable to the corporation
4 established under this part ~~pursuant to s. 946.504(1)~~, which
5 is deemed to be a corporation primarily acting as an
6 instrumentality of the state.

7 Section 6. Section 946.503, Florida Statutes, is
8 amended to read:

9 946.503 Definitions to be used with respect to
10 correctional work programs.--As used in this part ~~ss.~~
11 ~~946.502-946.518~~, the term:

12 (1) "Corporation" means the private nonprofit
13 corporation established pursuant to s. 946.504(1), or a
14 private nonprofit corporation whose sole member is the private
15 nonprofit corporation established pursuant to s. 946.504(1),
16 whose board of directors is identical to the board of
17 directors of the private nonprofit corporation established
18 pursuant to s. 946.504(1),to carry out this part ~~ss.~~
19 ~~946.502-946.518~~.

20 (2) "Correctional work program" means any program
21 presently a part of the prison industries program operated by
22 the department or any other correctional work program carried
23 on at any state correctional facility presently or in the
24 future, but the term does not include any program authorized
25 by s. 945.091 or s. 946.40.

26 (3) "Department" means the Department of Corrections.

27 (4) "Facilities" means the buildings and land used in
28 the operation of an industry program on state property.

29 (5) "Inmate" means any person incarcerated within any
30 state, county, municipal, or private correctional facility.

31 (6) "Private correctional facility" means a facility

1 authorized by chapter 944 or chapter 957.

2 Section 7. Section 946.504, Florida Statutes, is
3 amended to read:

4 946.504 Organization of corporation to operate
5 correctional work programs; lease of facilities.--

6 (1) The department shall lease buildings and land to
7 the nonprofit corporation authorized to operate the
8 correctional work programs, the members of which are appointed
9 by the Governor and confirmed by the Senate. The same
10 appointment process shall be followed to fill any vacancy. The
11 corporation shall be organized pursuant to chapter 617 and
12 shall possess all the powers granted by that chapter. The
13 Board of Trustees of the Internal Improvement Trust Fund shall
14 enter into leases directly with the corporation, for a period
15 of at least 20 years, for the lease of the lands that are
16 currently under sublease with the department and used by the
17 corporation for correctional work programs and that are
18 identified as subject to lease numbers 3513, 2946, 2675, 2937,
19 2673, and 2671 with the Board of Trustees of the Internal
20 Improvement Trust Fund. Any additional improvements to such
21 property leased by the corporation from the Board of Trustees
22 must have the prior approval of the Board of Trustees of the
23 Internal Improvement Trust Fund.

24 (2) No sublease for land from any other agency of
25 state government shall be in excess of that amount for which
26 the department is obligated to pay under any lease agreement
27 with any other agency of state government.

28 (3) The corporation shall negotiate with the
29 department ~~Department of Management Services~~ to reach and
30 enter into an agreement for the lease of each correctional
31 work program proposed by the corporation. The facilities to

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1 be leased and the amount of rental for such facilities shall
2 be agreed upon by the department ~~Department of Management~~
3 ~~Services~~ and the corporation, ~~with consultation with the~~
4 ~~department~~. The length of such lease shall be mutually agreed
5 upon among the department, ~~the Department of Management~~
6 ~~Services~~, and the corporation; ~~however, the initial lease may~~
7 ~~not exceed 7 years. The department shall continue to manage~~
8 ~~and operate the various correctional work programs until the~~
9 ~~lease between the department and the corporation is effective.~~

10 (4) If the department leases a single correctional
11 work program at any correctional institution to the
12 corporation, the corporation shall lease all such correctional
13 work programs at that institution.

14 (5)(a) Prior to entering into any lease or other
15 separate contract or agreement between the department and the
16 corporation, the department shall determine that:

17 1. The members of the corporation were appointed by
18 the Governor and confirmed by the Senate;

19 2. The articles of incorporation of the corporation
20 have been approved by the Governor; and

21 3. The articles of incorporation contain a provision
22 that prohibits any director from voting on any matter that
23 comes before the board of directors that would result in a
24 direct monetary gain to any director or any entity in which
25 any director has an interest.

26 ~~(b) The lease must be submitted to the Attorney~~
27 ~~General for his or her approval as to form and legality.~~

28 (b)(c) All leases of land shall be subject to the
29 approval of the Board of Trustees of the Internal Improvement
30 Trust Fund.

31 ~~(6)(a) Upon the effective date of each lease of each~~

1 ~~correctional work program, the department shall cause to be~~
2 ~~remitted to the corporation all funds appropriated for,~~
3 ~~associated with, or budgeted for the operation of that~~
4 ~~correctional work program, as agreed upon among the~~
5 ~~department, the Department of Management Services, and the~~
6 ~~corporation.~~

7 ~~(b) No operating loss of any type may be transferred~~
8 ~~to the corporation.~~

9 ~~(7) When it leases any correctional work program, the~~
10 ~~corporation shall exercise a reasonable effort to employ the~~
11 ~~personnel of the department who are currently involved in the~~
12 ~~correctional work programs being leased to the corporation.~~

13 ~~(6)(8)~~ Notwithstanding any provision to the contrary,
14 the corporation is authorized to use tax-exempt financing
15 through the issuance of tax-exempt bonds, certificates of
16 participation, lease-purchase agreements, or other tax-exempt
17 financing methods for the purpose of constructing facilities
18 or making capital improvements for correctional work programs
19 and prison industry enhancement programs on state-owned land
20 within state correctional institutions. Such tax-exempt
21 financing may be funded by the General Appropriations Act. If
22 the corporation obtains tax-exempt financing, the state
23 retains a secured interest by holding a lien against any
24 structure or improvement for which tax-exempt financing or
25 state funds are used. The corporation shall include a
26 provision in its financing contract requiring that a lien be
27 filed by the Department of Corrections, on behalf of the
28 state, in order to procure the issuance of tax-exempt bonds or
29 certificates of participation; to enter into lease-purchase
30 agreements; or to obtain any other tax-exempt financing
31 methods for the construction or renovation of facilities

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1 related to correctional work programs or prison industry
2 enhancement programs. The lien shall be against the property
3 where any facility or structure is located which has been
4 constructed or substantially renovated, in whole or in part,
5 through the use of state funds. However, there is no
6 requirement for the Department of Corrections to file a lien
7 if the amount of state funds does not exceed \$25,000 or 10
8 percent of the contract amount, whichever is less. The lien
9 must be recorded, upon the execution of the contract
10 authorizing such construction or renovation, in the county
11 where the property is located. The lien must specify that the
12 Department of Corrections has a financial interest in the
13 property equal to the pro rata portion of the state's original
14 investment of the then-fair-market value of the construction.
15 The lien must also specify that the Department of Corrections'
16 financial interest is proportionately reduced and subsequently
17 vacated over a 20-year period of depreciation. The contract
18 must include a provision that as a condition of receipt of
19 state funding for this purpose, the corporation agrees that,
20 if it disposes of the property before the state's interest is
21 vacated, the corporation will refund the proportionate share
22 of the state's initial investment, as adjusted by
23 depreciation.

24 Section 8. Section 946.506, Florida Statutes, is
25 amended to read:

26 946.506 Modification or termination of correctional
27 work program by the corporation.--This part does Sections
28 ~~946.502-946.518 do~~ not prevent the corporation from modifying,
29 altering, or terminating any correctional work program, once
30 assumed, so long as the corporation is otherwise carrying out
31 the provisions of this part ~~ss. 946.502-946.518.~~

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1 Section 9. Subsection (1) of section 946.509, Florida
2 Statutes, is amended to read:

3 946.509 Insurance of property leased or acquired by
4 the corporation.--

5 (1) The State Property Insurance Trust Fund created
6 under s. 284.01 shall insure all property eligible for
7 coverage under part I of chapter 284 which is leased by the
8 department to the corporation or which is subsequently
9 acquired and owned or leased by the corporation and subject to
10 the reversionary ownership interest of the state established
11 in s. 946.505.

12 Section 10. Subsection (1) of section 946.511, Florida
13 Statutes, is amended to read:

14 946.511 Provision of inmate labor to operate
15 correctional work programs; policies and procedures.--

16 (1) Inmates shall be evaluated and identified during
17 the reception process to determine basic literacy, employment
18 skills, academic skills, vocational skills, and remedial and
19 rehabilitative needs. The evaluation shall prescribe
20 education, work, and work-training for each inmate. Assignment
21 to programs shall be based on the evaluation and the length of
22 time the inmate will be in the custody of the department.
23 Assignment to programs shall be reviewed every 6 months to
24 ensure proper placement based on bed space availability.
25 Assignment of inmates shall be governed by the following
26 objectives and priorities:

27 (a) Inmates shall be assigned to meet the needs of the
28 work requirements of the Department of Corrections, including
29 essential operational functions and revenue-generating
30 contracts.

31 (b) Inmates shall be assigned to correctional

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1 education.

2 (c) Inmates shall be assigned to meet all other work
3 requirements of the department, including remaining
4 operational functions and nonrevenue-generating contracts.

5
6 As used in this subsection, the term "revenue-generating
7 contracts" includes contracts with the Department of
8 Transportation, the corporation authorized to conduct the
9 correctional work programs under this part ~~FF~~, the corporation
10 and private sector businesses operating programs authorized
11 under s. 946.523 ~~946.006(3)~~, and federal, state, or local
12 governmental entities or subdivisions authorized under s.
13 944.10(7).

14 Section 11. Subsections (1) and (2) of section
15 946.514, Florida Statutes, are amended to read:

16 946.514 Civil rights of inmates; inmates not state
17 employees; liability of corporation for inmate injuries.--

18 (1) Nothing contained in this part ~~ss. 946.502-946.517~~
19 is intended to restore in whole or in part the civil rights of
20 inmates.

21 (2) No inmate compensated under this part ~~ss.~~
22 ~~946.502-946.517~~ or by the corporation or the department shall
23 be considered as an employee of the state, the department, or
24 the corporation.

25 Section 12. Subsection (7) of section 946.515, Florida
26 Statutes, is amended to read:

27 946.515 Use of goods and services produced in
28 correctional work programs.--

29 (7) The provisions of s. ~~ss. 946.21 and~~ 946.518 do not
30 apply to this section.

31 Section 13. Subsection (1) of section 946.516, Florida

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1 Statutes, is amended to read:

2 946.516 Report to Governor, Legislature, and Auditor
3 General by the corporation; Department of Corrections report;
4 annual financial audit.--

5 (1) The corporation shall submit to the Governor and
6 the Legislature, on or before July ~~January~~ 1 of each year, a
7 report on the status of the correctional work programs,
8 including, but not limited to, the proposed use of the profits
9 from such programs, a breakdown of the amount of noninmate
10 labor used, work subcontracted to other vendors, use of
11 consultants, finished goods purchased for resale, and the
12 number of inmates working in the correctional work programs at
13 the time of such report. In addition, the corporation shall
14 submit to the department, the Governor, the Legislature, and
15 the Auditor General an annual financial audit report and such
16 other information as may be requested by the Legislature,
17 together with recommendations relating to provisions for
18 reasonable tax incentives to private enterprises which employ
19 inmates, parolees, or former inmates who have participated in
20 correctional work programs.

21 Section 14. Section 946.518, Florida Statutes, is
22 amended to read:

23 946.518 Sale of goods made by prisoners; when
24 prohibited, when permitted.--Goods, wares, or merchandise
25 manufactured or mined in whole or in part by prisoners (except
26 prisoners on parole or probation) may not be sold or offered
27 for sale in this state by any person or by any federal
28 authority or state or political subdivision thereof; however,
29 this section does ~~and s. 946.21 do~~ not forbid the sale,
30 exchange, or disposition of such goods within the limitations
31 set forth in ~~s. 946.006(3)~~, s. 946.515, s. 946.523, or s.

1 946.524 ~~946.519~~.

2 Section 15. Section 946.520, Florida Statutes, is
3 amended to read:

4 946.520 Assignment of inmates by Department of
5 Corrections.--

6 (1) The department shall exert its best efforts to
7 assign inmates to the corporation, or the private sector
8 business authorized under this part ~~of this chapter~~, who
9 have not less than 1 nor more than 5 years remaining before
10 their tentative release dates. Beginning January 1, 1998, the
11 department shall maintain the assignment of at least 60
12 percent of inmates to all correctional work programs
13 collectively to the corporation, or to the private sector
14 business authorized under this part ~~of this chapter~~, who
15 have less than 10 years remaining before their tentative
16 release dates. This 60-percent requirement does not apply to
17 any correctional work program, or private sector business
18 authorized under this part ~~of this chapter~~, within an
19 institution for any year in which, as of January 1 of that
20 year, the average years remaining before the tentative release
21 date of all inmates assigned to that institution exceeds 12
22 years.

23 (2) The department may not remove an inmate once
24 assigned to the corporation or to the private sector business
25 authorized under this part ~~of this chapter~~, except upon
26 request of or consent of such corporation or private sector
27 business or for the purposes of population management, for
28 inmate conduct that may subject the inmate to disciplinary
29 confinement or loss of gain-time, or for security and safety
30 concerns specifically set forth in writing to the corporation
31 or private sector business.

1 Section 16. Paragraph (f) of subsection (1) of section
2 957.04, Florida Statutes, is amended to read:

3 957.04 Contract requirements.--

4 (1) A contract entered into under this chapter for the
5 operation of private correctional facilities shall maximize
6 the cost savings of such facilities and shall:

7 (f) Require the contractor to be responsible for a
8 range of dental, medical, and psychological services; diet;
9 education; and work programs at least equal to those provided
10 by the department in comparable facilities. The work and
11 education programs must be designed to reduce recidivism, and
12 include opportunities to participate in such work programs as
13 authorized pursuant to s. 946.523 ~~946.006~~.

14 Section 17. This act shall take effect July 1, 2000.
15
16

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1 line 2,
20 remove from the title of the bill: the entire title

21
22 and insert in lieu thereof:

23 An act relating to programs in the state correctional
24 system; amending s. 945.215, F.S.; revising and clarifying
25 authorized uses of moneys in the Inmates Welfare Trust Fund;
26 providing limitations; providing health care of inmates in the
27 state correctional system; providing legislative intent with
28 respect to the Correctional Managed Health Care Pilot Program;
29 establishing the Correctional Managed Health Care Pilot
30 Program; specifying the correctional facilities to be included
31 in the pilot program; requiring the Department of Corrections

1 to contract with a private health care vendor for the purpose
2 of providing health care services; providing for a criminal
3 history check of individuals employed by or contracting with
4 the health care vendor; providing that sovereign immunity does
5 not apply to any vendor performing services under the pilot
6 program; requiring that the vendor and any subcontractor
7 indemnify the state and the department against any liability;
8 requiring that the population of inmates served under the
9 pilot program be similar to other inmates in the state
10 correctional system; providing for the prime vendor
11 pharmaceutical contract to be available to the health care
12 vendor operating the pilot program; providing operations of
13 correctional work programs; revising provisions relating to
14 leased or managed work programs to conform to current
15 operations and applications; amending ss. 946.502, 946.5025,
16 946.5026, 946.503, 946.506, 946.509, 946.511, 946.514,
17 946.515, 946.516, 946.518, and 946.520, F.S.; conforming
18 internal cross references; deleting obsolete language;
19 clarifying a definition; changing a reporting date; amending
20 s. 946.504, F.S.; deleting certain obsolete work program lease
21 requirements; deleting a requirement that the Department of
22 Corrections remit certain funds to a corporation established
23 for correctional work program purposes; deleting a prohibition
24 against transferring operating losses to the corporation;
25 deleting a requirement that the corporation employ certain
26 department personnel; amending s. 957.04, F.S., to conform a
27 cross reference; providing an effective date.

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