

By Representative Crady

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## House Memorial

A memorial to the Congress of the United States, urging Congress to adopt legislation to end the practice of denying old-age and survivors insurance benefit payments and Medicare and Medicaid benefits to prisoners and certain other individuals confined at public expense and to provide for payment of such benefits directly to the institutions responsible for housing such individuals.

WHEREAS, the Federal Government has prohibited monthly old-age and survivors insurance benefit payments, as well as Medicare and Medicaid payments, to any individual currently confined in a jail, prison, or other penal institution or correctional facility for conviction of an offense punishable by imprisonment for more than one year, or to any individual who is confined by a court order in an institution at public expense as a result of a finding of incompetency, insanity, or mental defect in connection with an offense punishable by imprisonment for more than one year, and

WHEREAS, the State of Florida recognizes the fact that daily subsistence costs and medical treatment costs for incarcerated offenders in the correctional system are a great burden to the taxpayers of the state, and consequently the state currently directs certain prisoners to pay for all or a fair portion of their daily subsistence and certain medical costs, and

WHEREAS, the Federal Government has prohibited incarcerated individuals who have lawfully paid federal

1 employment taxes from receiving benefits to which they are  
2 entitled, and

3 WHEREAS, federal denial of such benefit payments forces  
4 states to fund housing and medical costs for these individuals  
5 who otherwise would be entitled to receive such funds, and

6 WHEREAS, this federal denial of the payment of old-age  
7 and survivors insurance benefit payments and Medicare and  
8 Medicaid payments is an erosion of the principle of states'  
9 rights and the rights of individuals, the effect of which  
10 forces states to spend increasing portions of their budgets on  
11 correctional systems, and

12 WHEREAS, the State of Florida, along with other states,  
13 would be better able to fulfill its budgetary obligations if  
14 the Federal Government would allow such payments to be made  
15 directly to the institutions responsible for housing such  
16 individuals, and

17 WHEREAS, the denial by the Federal Government of the  
18 payment of old-age and survivors insurance benefit payments  
19 and Medicare and Medicaid payments to prisoners and other  
20 individuals housed in publicly funded institutions is a  
21 Congressional infringement upon the rights to which all  
22 citizens are entitled, and

23 WHEREAS, the payment of old-age and survivors insurance  
24 benefit payments and Medicare and Medicaid payments owed to  
25 prisoners and other individuals housed in publicly funded  
26 institutions directly to the institutions responsible for  
27 housing such individuals would aid significantly in decreasing  
28 state correctional system budget expenditures and lessen a  
29 burden on the taxpayers of the state, NOW, THEREFORE,

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31 Be It Resolved by the Legislature of the State of Florida:

1           That the Congress of the United States is requested to  
2 adopt legislation to end the practice of denying old-age and  
3 survivors insurance benefit payments and Medicare and Medicaid  
4 payments to prisoners and certain other individuals housed in  
5 publicly funded institutions and to provide for payment of  
6 such benefits directly to the institutions responsible for  
7 housing such individuals.

8           BE IT FURTHER RESOLVED that this memorial be dispatched  
9 to the President of the United States, the President of the  
10 United States Senate, the Speaker of the United States House  
11 of Representatives, and to each member of the Florida  
12 delegation to the United States Congress.

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