

By the Committee on Corrections and Representatives Crady
and Andrews

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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 agencies responsible for the housing and medical care of such individuals.

WHEREAS, the Federal Government has prohibited monthly old-age and survivors insurance benefit payments and Medicaid benefits as well as requiring burdensome documentation and collection procedures before reimbursement can be made for Medicare benefits 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

1 WHEREAS, the Federal Government has prohibited
2 incarcerated individuals who have lawfully paid federal
3 employment taxes from receiving benefits to which they are
4 entitled, and
5 WHEREAS, federal denial of such benefits forces states
6 to fund housing and medical costs for these individuals who
7 otherwise would be entitled to receive such benefits, and
8 WHEREAS, this federal denial of the payment of old-age
9 and survivors insurance benefit payments and Medicare and
10 Medicaid benefits is an erosion of the principle of states'
11 rights and the rights of individuals, the effect of which
12 forces states to spend increasing portions of their budgets on
13 correctional systems, and
14 WHEREAS, the State of Florida, along with other states,
15 would be better able to fulfill its budgetary obligations if
16 the Federal Government would allow such payments and benefits
17 to be made directly to the agencies responsible for the
18 housing and medical care of such individuals, and
19 WHEREAS, the denial by the Federal Government of the
20 payment of old-age and survivors insurance benefit payments
21 and Medicaid benefits to prisoners and other individuals who
22 receive housing and medical care in publicly funded
23 institutions is a Congressional infringement upon the rights
24 to which all citizens are entitled, and
25 WHEREAS, the payment of old-age and survivors insurance
26 benefit payments and Medicaid benefits owed to prisoners and
27 other individuals who receive housing and medical care in
28 publicly funded institutions directly to the agencies
29 responsible for the housing and medical care of such
30 individuals would aid significantly in decreasing state
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1 correctional system budget expenditures and lessen a burden on
2 the taxpayers of the state, NOW, THEREFORE,

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

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6 That the Congress of the United States is requested to
7 adopt legislation to end the practice of denying old-age and
8 survivors insurance benefit payments and Medicaid benefits and
9 repeal the burdensome requirements for reimbursement for
10 Medicare to prisoners and certain other individuals who
11 receive housing and medical care in publicly funded
12 institutions and to provide for payment of such benefits
13 directly to the agencies responsible for the housing and
14 medical care of such individuals.

15 BE IT FURTHER RESOLVED that this memorial be dispatched
16 to the President of the United States, the President of the
17 United States Senate, the Speaker of the United States House
18 of Representatives, and to each member of the Florida
19 delegation to the United States Congress.

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