

By the Committee on Community Affairs; and Senator Jones

578-02018-10

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1 A bill to be entitled
 2 An act relating to medical expenses of inmates paid by
 3 a county or municipality; amending s. 901.35, F.S.;
 4 requiring that payments made by a county or
 5 municipality to a provider for certain services for an
 6 arrested person be made at a certain percentage of the
 7 Medicare allowable rate; providing that this maximum
 8 allowable rate does not apply to payments for
 9 emergency services provided by emergency room
 10 physicians; providing an effective date.

12 Be It Enacted by the Legislature of the State of Florida:

14 Section 1. Subsection (2) of section 901.35, Florida
 15 Statutes, is amended to read:

16 901.35 Financial responsibility for medical expenses.—

17 (2) Upon a showing that reimbursement from the sources
 18 listed in subsection (1) is not available, the costs of medical
 19 care, treatment, hospitalization, and transportation shall be
 20 paid:

21 (a) From the general fund of the county in which the person
 22 was arrested, if the arrest was for violation of a state law or
 23 county ordinance; or

24 (b) From the municipal general fund, if the arrest was for
 25 violation of a municipal ordinance.

26
 27 The responsibility of a county or municipality to pay for
 28 payment of such medical costs is limited to services provided
 29 during the time that the arrested person is in ~~shall exist until~~

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30 ~~such time as an arrested person is released from~~ the custody of
31 the arresting agency. Absent a formal written agreement between
32 a county, municipality, or law enforcement entity and a
33 provider, any payments made from county or municipal general
34 funds to a provider under this section for medical care,
35 treatment, hospitalization, and transportation of an arrested
36 person shall be made at 110 percent of the Medicare allowable
37 rate for such services. This maximum allowable rate does not
38 apply to payments to emergency room physicians licensed under
39 chapter 458 or chapter 459 who provide emergency services within
40 the emergency room.

41 Section 2. This act shall take effect July 1, 2010.