

By the Policy and Steering Committee on Ways and Means; the Committees on Health Regulation; and Community Affairs; and Senator Jones

576-04453-10

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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 cap does not apply to physician payments for
 9 emergency services provided within a hospital
 10 emergency department; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

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 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 cap does not~~
38 ~~apply to payments to physicians licensed under chapter 458 or~~
39 ~~chapter 459 for emergency services provided within a hospital~~
40 ~~emergency department.~~

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