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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/12/2026	.	
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The Appropriations Committee on Criminal and Civil Justice
(Yarborough) recommended the following:

Senate Amendment (with title amendment)

Delete lines 34 - 135
and insert:

2. Maintenance and repair deduction fees from contractor-
operated correctional facilities shall be deposited in the
Contractor-Operated Institutions Inmate Welfare Trust Fund.

3. Funds in the Contractor-Operated Institutions Inmate
Welfare Trust Fund shall be used exclusively to provide for or
to operate any of the following at contractor-operated



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correctional facilities:

a. Programs to aid inmates' reintegration into society.

b. Environmental health upgrades to facilities, including
fixed capital outlay for repairs and maintenance that would
improve environmental conditions of the correctional facilities.

4.2- Funds in the Contractor-Operated Institutions Inmate
Welfare Trust Fund shall be expended only pursuant to
legislative appropriation.

Section 2. Effective October 1, 2026, section 945.6041,
Florida Statutes, is amended to read:

945.6041 Compensation for inmate emergency and specialty
medical services.-

(1) The Legislature finds that the department relies on
community health care providers to provide emergency and
specialty medical services to incarcerated inmates which cannot
be provided by health care staff inside a state correctional
institution or facility. The Legislature further finds that the
department has experienced a substantial increase in inmate
health care costs.

(2)-(1) As used in this section, the term:

~~-(a) "Emergency medical transportation services" includes,
but is not limited to, services rendered by ambulances,
emergency medical services vehicles, and air ambulances as those
terms are defined in s. 401.23.~~

(a)-(b) "Community health care provider" means:

1. A hospital licensed under chapter 395.

2. A physician or physician assistant licensed under
chapter 458.

3. An osteopathic physician or physician assistant licensed



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under chapter 459.

4. A podiatric physician licensed under chapter 461.

5. An autonomous advanced practice registered nurse
licensed under chapter 464.

~~6.5.~~ A health maintenance organization certificated under
part I of chapter 641.

~~7.6.~~ An ambulatory surgical center licensed under chapter
395.

~~8.7.~~ A professional association, partnership, corporation,
joint venture, or other association established by the
individuals set forth in subparagraphs 2., 3., and 4. for
professional activity.

~~9.8.~~ An other medical facility.

a. As used in this subparagraph, the term "other medical
facility" means:

(I) A facility the primary purpose of which is to provide
human medical diagnostic services, or a facility providing
nonsurgical human medical treatment which discharges patients on
the same working day that the patients are admitted; and

(II) A facility that is not part of a hospital.

b. The term does not include a facility existing for the
primary purpose of performing terminations of pregnancy, or an
office maintained by a physician or dentist for the practice of
medicine.

(b) "Emergency medical condition" has the same meaning as
in s. 395.002(8).

(c) "Emergency medical services and care" means medical
screening, examination, and evaluation by a physician, or, to
the extent permitted by applicable law, by other appropriate



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personnel under the supervision of a physician, to determine whether an emergency medical condition exists and, if so, the care, treatment, or surgery by a physician necessary to relieve or eliminate the emergency medical condition, within the service capability of the facility.

(d) "Emergency medical transportation services" includes, but is not limited to, services rendered by ambulances, emergency medical services vehicles, and air ambulances as those terms are defined in s. 401.23.

(e) "Hospital" means any facility licensed under chapter 395.

(f) "Inmate medical services" includes, but is not limited to, all services rendered by a community health care provider to an inmate, except emergency medical services and care provided by a hospital.

(g) "Medicaid allowable rate" means the amount that the Agency for Health Care Administration would reimburse a Medicaid provider, as defined in s. 409.901, for Medicaid-covered services delivered through the fee-for-service program.

(h) "Medicare allowable rate" means the amount set by the Centers for Medicare and Medicaid Services which Medicare will pay for a specific covered service.

(i) "Secure unit" means a designated space, approved by the department, where the department can safely and efficiently manage and secure inmates receiving medical services from a community health care provider.

(3)(2) Compensation to a community health care provider for the provision of to provide inmate medical services may not exceed 110 percent of the relevant Medicare allowable rate if



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~~the health care provider does not have a contract to provide services with the department or the contractor-operated correctional facility, as defined in s. 944.710, which houses the inmate. However, a community health care provider is exempt from this section and may negotiate compensation above 110 percent of the relevant Medicare allowable rate if the community health care provider enters into an agreement with the department, a comprehensive health care services vendor, or a contractor-operated correctional facility, as defined in s. 944.710, to provide health care services to inmates in a secure unit within the community health care provider's medical facility, within a correctional institution or facility, or by telehealth in accordance with s. 456.47 if such inmates are within the correctional institution or facility when they receive medical services~~ compensation to a health care provider may not exceed 125 percent of the Medicare allowable rate if:

~~(a) The health care provider does not have a contract to provide services with the department or the contractor-operated correctional facility, as defined in s. 944.710, which houses the inmate; and~~

~~(b) The health care provider reported a negative operating margin for the previous year to the Agency for Health Care Administration through hospital-audited financial data.~~

(4) Compensation to a hospital for the provision of emergency medical services and care provided to inmates may not exceed 110 percent of the Medicare allowable rate.

===== T I T L E A M E N D M E N T =====
And the title is amended as follows:



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127 Delete lines 3 - 14
128 and insert:
129 945.215, F.S.; requiring that maintenance and repair
130 deduction fees from contractor-operated correctional
131 facilities be deposited in the Contractor-Operated
132 Institutions Inmate Welfare Trust Fund; requiring that
133 funds from the Contractor-Operated Institutions Inmate
134 Welfare Trust Fund be used for specified purposes;
135 amending s. 945.6041, F.S.; providing legislative
136 findings; providing and revising definitions; revising
137 compensation for the provision of inmate medical
138 services by certain providers; providing an exemption;
139 prohibiting compensation to a hospital for the
140 provision of emergency medical services and care
141 provided to inmates from exceeding a certain
142 percentage of the Medicare allowable rate; revising
143 compensation for the