



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:

1 **Senate Amendment (with title amendment)**

2

3 Delete lines 34 - 135

4 and insert:

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

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



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11 correctional facilities:
12 a. Programs to aid inmates' reintegration into society.
13 b. Environmental health upgrades to facilities, including
14 fixed capital outlay for repairs and maintenance that would
15 improve environmental conditions of the correctional facilities.

16 4.2. Funds in the Contractor-Operated Institutions Inmate
17 Welfare Trust Fund shall be expended only pursuant to
18 legislative appropriation.

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

21 945.6041 Compensation for inmate emergency and specialty
22 medical services.—

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

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

31 (a) "Emergency medical transportation services" includes,
32 but is not limited to, services rendered by ambulances,
33 emergency medical services vehicles, and air ambulances as these
34 terms are defined in s. 401.23.

35 (a) "Community health care provider" means:

36 1. A hospital licensed under chapter 395.
37 2. A physician or physician assistant licensed under
38 chapter 458.
39 3. An osteopathic physician or physician assistant licensed



40 under chapter 459.

41 4. A podiatric physician licensed under chapter 461.

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

44 6.5. A health maintenance organization certificated under
45 part I of chapter 641.

46 7.6. An ambulatory surgical center licensed under chapter
47 395.

48 8.7. A professional association, partnership, corporation,
49 joint venture, or other association established by the
50 individuals set forth in subparagraphs 2., 3., and 4. for
51 professional activity.

52 9.8. An other medical facility.

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

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

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

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

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

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



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

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

78 (e) "Hospital" means any facility licensed under chapter
79 395.

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

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

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

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

95 (3)+(2) Compensation to a community health care provider for
96 the provision of to provide inmate medical services may not
97 exceed 110 percent of the relevant Medicare allowable rate #



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98 the health care provider does not have a contract to provide
99 services with the department or the contractor-operated
100 correctional facility, as defined in s. 944.710, which houses
101 the inmate. However, a community health care provider is exempt
102 from this section and may negotiate compensation above 110
103 percent of the relevant Medicare allowable rate if the community
104 health care provider enters into an agreement with the
105 department, a comprehensive health care services vendor, or a
106 contractor-operated correctional facility, as defined in s.
107 944.710, to provide health care services to inmates in a secure
108 unit within the community health care provider's medical
109 facility, within a correctional institution or facility, or by
110 telehealth in accordance with s. 456.47 if such inmates are
111 within the correctional institution or facility when they
112 receive medical services compensation to a health care provider
113 may not exceed 125 percent of the Medicare allowable rate if:
114 (a) The health care provider does not have a contract to
115 provide services with the department or the contractor-operated
116 correctional facility, as defined in s. 944.710, which houses
117 the inmate; and
118 (b) The health care provider reported a negative operating
119 margin for the previous year to the Agency for Health Care
120 Administration through hospital audited financial data.
121 (4) Compensation to a hospital for the provision of
122 emergency medical services and care provided to inmates may not
123 exceed 110 percent of the Medicare allowable rate.

124 ===== T I T L E A M E N D M E N T =====
125
126 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