

1 A bill to be entitled
2 An act relating to inmate services; amending s.
3 945.215, F.S.; requiring funds from the Contractor-
4 Operated Institutions Inmate Welfare Trust Fund to be
5 used for specified purposes; amending s. 945.6041,
6 F.S.; providing legislative intent; providing and
7 revising definitions; revising compensation for the
8 provision of inmate medical services by certain
9 providers; providing an exemption; requiring a
10 Medicaid health care provider to provide inmate
11 patients with reasonable access to medical services;
12 revising compensation for the provision of inmate
13 emergency medical transportation services; reenacting
14 s. 944.72(1), F.S., relating to the Contractor-
15 Operated Institutions Inmate Welfare Trust Fund, to
16 incorporate the amendment made to s. 945.215, F.S., in
17 a reference thereto; providing effective dates.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 **Section 1. Paragraph (b) of subsection (3) of section**
22 **945.215, Florida Statutes, is amended to read:**

23 945.215 Inmate welfare and employee benefit trust funds.—
24 (3) CONTRACTOR-OPERATED INSTITUTIONS INMATE WELFARE TRUST
25 FUND; CONTRACTOR-OPERATED CORRECTIONAL FACILITIES.—

(b)1. The net proceeds derived from inmate canteens, vending machines used primarily by inmates, telephone commissions, and similar sources at contractor-operated correctional facilities shall be deposited in the Contractor-Operated Institutions Inmate Welfare Trust Fund.

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

3.2. 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 department relies on community health care providers to provide emergency and specialty medical services to incarcerated inmates that cannot be provided by health care staff inside a state correctional institution. The department has experienced a substantial increase in inmate health care

51 costs. Accordingly, it is the intent of the Legislature that
52 inmates committed to the custody of the department have adequate
53 access to emergency or other necessary specialty medical
54 services at rates that are cost-effective for the state.

55 (2)~~(1)~~ As used in this section, the term:

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

60 (b) "Community health care provider" means:

61 1. A hospital licensed under chapter 395.

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

64 3. An osteopathic physician or physician assistant
65 licensed under chapter 459.

66 4. A podiatric physician licensed under chapter 461.

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

69 6.5. A health maintenance organization certificated under
70 part I of chapter 641.

71 7.6. An ambulatory surgical center licensed under chapter
72 395.

73 8.7. A professional association, partnership, corporation,
74 joint venture, or other association established by the
75 individuals set forth in subparagraphs 2., 3., and 4. for

76 professional activity.

77 ~~9.8-~~ An other medical facility.

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

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

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

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

89 (c) "Inmate medical services" includes, but is not limited
90 to, services rendered by a community health care provider to an
91 inmate.

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

96 (e) "Secure unit" means a designated space, approved by
97 the department, where the department can safely and efficiently
98 manage and secure inmates who are receiving medical services
99 from a community health care provider.

100 ~~(3)(2)~~ Compensation to a community health care provider

101 for the provision of ~~to provide~~ inmate medical services may not
102 exceed ~~110 percent of the~~ Medicaid ~~Medicare~~ allowable rate if
103 ~~the health care provider does not have a contract to provide~~
104 ~~services with the department or the contractor-operated~~
105 ~~correctional facility, as defined in s. 944.710, which houses~~
106 ~~the inmate.~~ However, a community health care provider is exempt
107 from this section and may negotiate compensation above the
108 Medicaid allowable rate if the community health care provider
109 enters into an agreement with the department, a comprehensive
110 health care services vendor, or a contractor-operated
111 correctional facility, as defined in s. 944.710, to provide
112 medical services to inmates in a secure unit within the
113 community health care provider's medical facility, within a
114 correctional institution or facility, or by telehealth in
115 accordance with s. 456.47 if such inmates are within the
116 correctional institution or facility when they receive such
117 medical services.

118 (4) In addition to the Medicaid provider agreement
119 requirements established in s. 409.907 to participate in a
120 Medicaid supplemental funding program and to remain in good
121 standing with the Medicaid program, a Medicaid community health
122 care provider shall provide inmate patients with reasonable
123 access to adequate medical services, including emergency and
124 specialty care services. ~~compensation to a health care provider~~
125 ~~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.~~

~~(5)(3) Compensation to an entity to provide emergency medical transportation services for inmates may not exceed 110 percent of the Medicaid Medicare allowable rate if the entity does not have a contract with the department or a contractor-operated correctional facility, as defined in s. 944.710, to provide the services.~~

~~(6)(4) This section does not apply to charges for medical services provided at a hospital operated by the department.~~

Section 3. For the purpose of incorporating the amendment made by this act to section 945.215, Florida Statutes, in a reference thereto, subsection (1) of section 944.72, Florida Statutes, is reenacted to read:

944.72 Contractor-Operated Institutions Inmate Welfare Trust Fund.—

(1) There is hereby created in the Department of Corrections the Contractor-Operated Institutions Inmate Welfare Trust Fund. The purpose of the trust fund shall be the benefit and welfare of inmates incarcerated in contractor-operated

151 correctional facilities under contract with the department
152 pursuant to this chapter or chapter 957. Moneys shall be
153 deposited in the trust fund and expenditures made from the trust
154 fund as provided in s. 945.215.

155 **Section 4.** Except as otherwise expressly provided in this
156 act, this act shall take effect July 1, 2026.