

RESOLUTION NO. 2010-39

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO SUPPORT SB 218 AND HB 319 FOR THE PURPOSE OF CONTROLLING COSTS BY PROVIDING SET RATES WHEN NO INMATE MEDICAL CARE CONTRACT EXISTS BETWEEN A MEDICAL PROVIDER AND THE SHERIFF; THEREFORE, PROVIDING A SIGNIFICANT SAVINGS FOR THE TAXPAYERS OF ST. JOHNS COUNTY

WHEREAS, Section 901.35(2), Florida Statutes, requires Counties, under certain circumstances, to provide financial responsibility from its general fund for medical services to persons who have been charged with a crime, or are being held in its county detention facility; and

WHEREAS, such current law states that when no contract exists between a county detention facility and a third party provider, that third party may seek reimbursement from the county's general fund; and

WHEREAS, not all medical facilities exhaust the available pay options prior to billing local governments; and

WHEREAS, taxpayers end up responsible for paying full fee rates to providers for person who would otherwise receive indigent rates; and

WHEREAS, inmates at the St. Johns County Jail incur an average of \$750,000 per year in medical expenses outside the facility; and

WHEREAS, if the Inmate Medical Bill passes, St. Johns County estimates a savings of approximately 40% which equates to \$300,000 annually; and

WHEREAS, passage of these bills would provide a significant savings for the taxpayers of St. Johns County; and

WHEREAS, a copy of Senate Bill 218 and House Bill 319 are attached and incorporated herein.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of St. Johns County, Florida, that:

Section 1. The above recitals are incorporated by reference into the body of this Resolution, and such recitals are adopted as Findings of Fact.

Section 2. The Board of County Commissioners of St. Johns County, Florida expresses its support, and urges the Florida Legislature to likewise support Senate Bill 218, and House Bill 319, which are designed to control costs by providing set rates, when no inmate medical care contract exists between a medical provider and the Sheriff, which thereby will result in a significant savings for the taxpayers of the State of Florida, including those taxpayers residing in St. Johns County, Florida.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida
this 16th day of February, 2010.

ATTEST: CHERYL STRICKLAND,
CLERK

By: Pam Halterman
Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

Ron Sanchez
Ron Sanchez, Chair

RENDITION DATE 2/18/10



By the Committee on Community Affairs; and Senator Jones

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

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

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

901.35 Financial responsibility for medical expenses.—

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

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

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

The responsibility of a county or municipality to pay for
payment of such medical costs is limited to services provided
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.

1 A bill to be entitled
 2 An act relating to medical expenses of inmates paid by a
 3 county or municipality; amending s. 901.35, F.S.;
 4 requiring that payments made by a county or municipality
 5 to a provider for certain services for an arrested person
 6 be made at the state's Medicaid rate; providing an
 7 effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Subsection (2) of section 901.35, Florida
 12 Statutes, is amended to read:

13 901.35 Financial responsibility for medical expenses.--

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

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

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

23
 24 The responsibility of a county or municipality to pay ~~for~~
 25 ~~payment of~~ such medical costs shall exist only until such time
 26 as an arrested person is released from the custody of the
 27 arresting agency. Absent a formal written agreement between a
 28 county or municipality and a provider, any payments made by the

HB 319

2010

29 | county or municipality under this section to the provider for
30 | medical care, treatment, hospitalization, and transportation of
31 | an arrested person shall be made at the state's Medicaid rate
32 | for such services.

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