
By: **Delegates Getty, Stocksdale, Elliott, and Miller**
Introduced and read first time: February 13, 1998
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - Inmates - Reimbursement**

3 FOR the purpose of authorizing the sheriff of Carroll County to impose a fee on an
4 inmate who is sentenced to imprisonment in the Carroll County Detention
5 Center to cover the costs associated with housing and feeding the inmate;
6 authorizing the sheriff to exempt an inmate from this fee under certain
7 circumstances; and generally relating to the powers of the Carroll County
8 sheriff.

9 BY repealing and reenacting, with amendments,
10 Article 87 - Sheriffs
11 Section 46
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1997 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 87 - Sheriffs**

17 46.

18 (a) In this section, "sheriff" includes the administrator, director,
19 superintendent, warden, or other officer in charge of a detention center.

20 (b) (1) The sheriff shall provide food and board for all prisoners committed
21 to the sheriff's charge and food and other articles for the comfort of sick prisoners as
22 the physician attending the prisoners may deem necessary, the expense of which shall
23 be paid by the county or Baltimore City.

24 (2) The sheriff, a county, or Baltimore City is not responsible for payment
25 for services or treatment rendered as a result of an admission of a prisoner to a State
26 psychiatric hospital.

27 (3) (I) IN CARROLL COUNTY, THE SHERIFF MAY IMPOSE A FEE ON AN
28 INMATE WHO IS SENTENCED TO IMPRISONMENT IN THE CARROLL COUNTY

1 DETENTION CENTER TO COVER THE COSTS ASSOCIATED WITH HOUSING AND
2 FEEDING THE INMATE.

3 (II) THE SHERIFF MAY EXEMPT AN INMATE FROM THE FEE
4 DESCRIBED IN ITEM (I) OF THIS PARAGRAPH IF THE INMATE IS NOT FINANCIALLY
5 ABLE, AS DETERMINED BY THE SHERIFF, TO PAY THE FEE.

6 (c) Sick, injured, or disabled prisoners including those committed to the
7 Commissioner of Pretrial Detention and Services shall be responsible for reimbursing
8 the county or the State, as appropriate for the payment of all medical care, and shall
9 furnish the sheriff with the following information:

10 (1) The existence of any health insurance, group health plan, or prepaid
11 medical care coverage under which the prisoner is insured;

12 (2) The eligibility for benefits under the Maryland Medical Assistance
13 Program to which the prisoner is entitled;

14 (3) The name and address of the third party payor; and

15 (4) The policy or other identifying number.

16 (d) (1) This subsection does not apply to a visit by an inmate to a medical
17 unit or a physician, dentist, or optometrist if the visit is:

18 (i) Required as part of the intake process;

19 (ii) Required for an initial physical examination;

20 (iii) Due to a referral by a nurse or physician assistant;

21 (iv) Initiated, as a follow-up visit, by a medical professional from
22 the detention center;

23 (v) Initiated by a medical or mental health staff member of the
24 detention center; or

25 (vi) Required for necessary treatment.

26 (2) (i) In addition to the provisions of subsection (c) of this section, the
27 governing body of each county and, in the case of Baltimore City, the Department of
28 Public Safety and Correctional Services, shall set a reasonable fee not to exceed \$4 for
29 each visit by an inmate to an institutional medical unit or noninstitutional physician,
30 dentist, or optometrist.

31 (ii) The per visit fee shall be deducted from an inmate's spending
32 financial account, reserve financial account, or similar account held by the sheriff on
33 behalf of the inmate.

1 (3) The funds collected under this subsection shall be deposited in the
2 general fund of the county, or in the case of Baltimore City, in the General Fund of the
3 State.

4 (e) The liability for payment for medical care described under subsections (c)
5 or (d) of this section may not be construed as requiring payment by any person or
6 entity, except by a prisoner personally or through coverage or benefits described
7 under subsection (c) of this section.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1998.