

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 263 (Senators Brinkley and Young)
Judicial Proceedings

Frederick County - Adult Detention Center - Medical and Dental Fees

This bill increases the maximum fees that may be charged for medical and dental visits for individuals incarcerated in the Frederick County Adult Detention Center. The fees must be deducted from an inmate's account maintained by the detention center's managing official at a rate of \$8 for each visit to an institutional medical unit and \$35 for each visit to an institutional dentist.

Fiscal Summary

State Effect: None.

Local Effect: Frederick County revenues increase by approximately \$11,200 in FY 2013, with future year revenues increasing by 1.5% annually. Fee collections can be handled with existing budgeted resources.

Small Business Effect: Minimal.

Analysis

Current Law: The governing body of each county must establish a reasonable fee, not to exceed \$4, for each visit by an inmate in a local correctional facility to an institutional medical unit or noninstitutional physician, dentist, or optometrist. The per-visit fee must be deducted from an inmate's spending financial account, reserve financial account, or similar account held by the managing official on behalf of the inmate. The fees collected must be deposited in the county's general fund.

These requirements do not apply to a visit by an inmate to a medical unit or a physician, dentist, or optometrist if the visit is:

- required as a part of the intake process;
- required for an initial physical examination;
- due to a referral by a nurse or physician's assistant;
- provided during a follow-up visit that is initiated by a medical professional from the local correctional facility;
- initiated by a medical or mental health staff member of the local correctional facility; or
- required for necessary treatment.

Background: The fiscal 2012 budget for Frederick County includes \$12.1 million for the county adult detention center and \$2.6 million for the work release program. These costs account for 3.3% of the county's general fund expenditures.

In fiscal 2011, the Frederick County detention center had an average daily population of 371 persons and processed 3,619 inmates into the detention center.

Local Revenues: During fiscal 2011, medical fees assessed on inmates at the Frederick County detention center totaled \$2,565. This amount was based on the current \$4 limit per inmate visit for approximately 642 inmates. In addition, during that same period, 239 inmates experienced an institutional dental visit while at the county detention center. There was no fee assessed for the dental visits.

Assuming that the county detention center inmate population continues to grow by 1.54% annually, Frederick County revenues from the higher medical fee and the new dental fee will increase by approximately \$11,200 beginning in fiscal 2013. This estimate is based on increased medical fee revenue of \$2,600 in fiscal 2013 and \$8,600 in new dental fee revenue. Future year revenue is expected to increase by 1.54% a year, which reflects the projected inmate population growth rate. Actual additional revenues are dependent on the number of inmates who actually use these services and their ability to pay.

Additional Information: The Frederick County Sheriff's Office operates a work release program under which the sheriff must collect the earnings of an inmate in the program, less required payroll deductions. From the inmate's earnings is deducted the cost to the county for food, lodging, and clothing for the inmate; the actual cost of necessary food and travel and other expenses incidental to the inmate's participation in the program; any amount a court imposes for a fine, cost, or restitution; any amount that the inmate is legally obligated or reasonably desires to pay for support of a dependent; and, if

applicable, any amount that a court orders the inmate to repay to the State or to the county for the services of an attorney appointed by the court. The sheriff must credit to the inmate's account the remaining balance and dispose of the balance in the inmate's account as the inmate reasonably requests and as the sheriff approves.

Additional Information

Prior Introductions: None.

Cross File: HB 500 (Frederick County Delegation) - Judiciary.

Information Source(s): Frederick County, Department of Health and Mental Hygiene, Department of Public Safety and Correctional Services, Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2012
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