

SENATE BILL 772

E4, L1

0lr1114
CF HB 583

By: **Senators Mooney and Brinkley**

Introduced and read first time: February 10, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County – Adult Detention Center – Fees**

3 FOR the purpose of altering certain medical and dental fees for individuals
4 incarcerated in the Frederick County Adult Detention Center; establishing a
5 processing fee, incarceration fee, and general educational development
6 administrative fee for certain individuals in the Center; providing for the
7 collection of certain fees; and generally relating to fees charged to individuals in
8 the Frederick County Adult Detention Center.

9 BY repealing and reenacting, with amendments,
10 Article – Correctional Services
11 Section 11–203(e)
12 Annotated Code of Maryland
13 (2008 Replacement Volume and 2009 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Correctional Services
16 Section 11–712(a)
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2009 Supplement)

19 BY adding to
20 Article – Correctional Services
21 Section 11–712(e) and (f)
22 Annotated Code of Maryland
23 (2008 Replacement Volume and 2009 Supplement)

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

26 **Article – Correctional Services**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 11-203.

2 (c) (1) **[In] EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS**
3 **SUBSECTION, IN** addition to obtaining any reimbursement authorized under
4 subsection (b) of this section and subject to paragraph (4) of this subsection, the
5 governing body of each county shall establish a reasonable fee, not to exceed \$4, for
6 each visit by an inmate in a local correctional facility to an institutional medical unit
7 or noninstitutional physician, dentist, or optometrist.

8 (2) The per visit fee shall be deducted from an inmate's spending
9 financial account, reserve financial account, or similar account held by the managing
10 official on behalf of the inmate.

11 (3) The fees collected under this subsection shall be deposited in the
12 general fund of the county.

13 (4) This subsection does not apply to a visit by an inmate to a medical
14 unit or a physician, dentist, or optometrist if the visit is:

15 (i) required as a part of the intake process;

16 (ii) required for an initial physical examination;

17 (iii) due to a referral by a nurse or physician's assistant;

18 (iv) provided during a follow-up visit that is initiated by a
19 medical professional from the local correctional facility;

20 (v) initiated by a medical or mental health staff member of the
21 local correctional facility; or

22 (vi) required for necessary treatment.

23 **(5) (I) THIS PARAGRAPH APPLIES ONLY IN FREDERICK**
24 **COUNTY.**

25 **(II) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE**
26 **AMOUNT OF THE REASONABLE FEE TO BE DEDUCTED FROM AN INMATE'S**
27 **SPENDING FINANCIAL ACCOUNT, RESERVE FINANCIAL ACCOUNT, OR SIMILAR**
28 **ACCOUNT HELD BY THE MANAGING OFFICIAL ON BEHALF OF THE INMATE MAY**
29 **NOT EXCEED:**

30 **1. EXCEPT AS PROVIDED IN ITEM 2 OF THIS**
31 **SUBPARAGRAPH, \$8 FOR EACH VISIT TO AN INSTITUTIONAL MEDICAL UNIT; AND**

1 **(II) IF THE INMATE IS REPROCESSED INTO THE DETENTION**
2 **CENTER, COLLECT THE FEES FROM THE INMATE'S NEW ACCOUNT.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2010.