

**MEDICAL EXPENSES OF COUNTY INMATES**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Michael G. Waddoups**

**This act modifies provisions relating to Counties to include inmate medical expenses provided at the request of a county sheriff as county expenses § for certain counties § . The act specifies the basis for costs of medical services in the absence of a contract between the county and a medical service provider or facility. The act also makes technical changes.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**17-50-319**, as renumbered and amended by Chapter 133, Laws of Utah 2000

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **17-50-319** is amended to read:

**17-50-319. County charges enumerated.**

(1) County charges are:

~~[(1)]~~ (a) those incurred against the county by any law;

~~[(2)]~~ (b) the necessary expenses of the county attorney or district attorney incurred in criminal cases arising in the county, and all other expenses necessarily incurred by the county or district attorney in the prosecution of criminal cases, except jury and witness fees;

~~[(3)]~~ (c) the expenses necessarily incurred in the support of persons charged with or convicted of a criminal offense and committed to the county jail;

~~[(4)]~~ (d) for a county not within the state district court administrative system, the sum required by law to be paid jurors in civil cases;

~~[(5)]~~ (e) all charges and accounts for services rendered by any justice court judge for services in the trial and examination of persons charged with a criminal offense not otherwise provided for by law;

~~[(6)]~~ (f) the contingent expenses necessarily incurred for the use and benefit of the county;



28           [(7)] (g) every other sum directed by law to be raised for any county purposes under the  
29 direction of the county legislative body or declared a county charge;

30           [(8)] (h) the fees of constables for services rendered in criminal cases;

31           [(9)] (i) the necessary expenses of the sheriff and deputies incurred in civil and criminal  
32 cases arising in the county, and all other expenses necessarily incurred by the sheriff and deputies  
33 performing the duties imposed upon them by law; [~~and~~]

34           [(10)] (j) the sums required by law to be paid by the county to jurors and witnesses serving  
35 at inquests and in criminal cases in justice courts[-]; and

36           (k) § FOR A COUNTY OF THE FIRST OR SECOND CLASS AND § subject to Subsection (2),  
36a expenses incurred by a § [health care provider or] § health care

37 facility in providing medical services at the request of a county sheriff for existing § [~~and~~

37a ~~preexisting~~] §

38 conditions of:

39           (i) persons booked into a county jail on a charge of a criminal offense; or

40           (ii) persons convicted of a criminal offense and committed to a county jail.

41           (2) § (a) EXPENSES DESCRIBED IN SUBSECTION (1)(k) ARE A COUNTY CHARGE ONLY TO  
41a THE EXTENT THAT THEY EXCEED ANY PRIVATE INSURANCE IN EFFECT THAT COVERS THOSE  
41b EXPENSES.

41c           (b) § If there is no contract between a county jail and a § [health care provider or] § health care  
42 facility that establishes a fee schedule for medical services rendered, expenses under Subsection  
43 (1)(k) shall be commensurate with the current noncapitated state Medicaid rates § [~~plus 20%.~~]

43a           (c) SUBSECTION (1)(k) DOES NOT APPLY TO EXPENSES OF A PERSON HELD AT THE JAIL AT THE  
43b REQUEST OF AN AGENCY OF THE UNITED STATES. §

## Legislative Review Note

as of 1-24-01 11:52 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel