

**COUNTY CHARGES FOR SERVICES TO
INCARCERATED PERSONS**

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: Gregory S. Bell

LONG TITLE

General Description:

This bill modifies a provision related to county charges.

Highlighted Provisions:

This bill:

► expands a provision relating to health care expenses incurred for persons booked into or committed to ~~H~~→ a county ←~~H~~ jail ~~H~~→ [~~in a first or second class county~~] ←~~H~~ to include health care expenses incurred by health care providers, making those expenses county charges subject to current statutory limits ~~S~~→ [-]

► removes language that made that provision applicable to only first and second class counties; and

► establishes a fee schedule that applies in the absence of a contract with respect to medical services provided by a health care provider. ←~~S~~

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-50-319, as last amended by Laws of Utah 2001, Chapter 249

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.

H.B. 121



28 (1) County charges are:

29 (a) those incurred against the county by any law;

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

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

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

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

40 (f) the contingent expenses necessarily incurred for the use and benefit of the county;

41 (g) every other sum directed by law to be raised for any county purposes under the
42 direction of the county legislative body or declared a county charge;

43 (h) the fees of constables for services rendered in criminal cases;

44 (i) the necessary expenses of the sheriff and deputies incurred in civil and criminal
45 cases arising in the county, and all other expenses necessarily incurred by the sheriff and
46 deputies performing the duties imposed upon them by law;

47 (j) the sums required by law to be paid by the county to jurors and witnesses serving at
48 inquests and in criminal cases in justice courts; and

49 (k) [~~for a county of the first or second class and~~] subject to Subsection (2), expenses
50 incurred by a health care facility or provider in providing medical services at the request of a
51 county sheriff for existing conditions of:

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

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

54 (2) (a) Expenses described in Subsection (1)(k) are a county charge only to the extent
55 that they exceed any private insurance in effect that covers those expenses.

56 (b) If there is no contract between a county jail and a health care facility or provider
57 that establishes a fee schedule for medical services rendered, expenses under Subsection (1)(k)
58 shall be commensurate with ~~§~~ :

58a **(i) for a health care facility, ←§ the current noncapitated state Medicaid rates §→ ; and**

58b **(ii) for a health care provider, 65% of the amount that would be paid under the Public**

58c **Employees' Benefit and Insurance Program, created in Section 49-20-103, to a health**

58d **care provider for service rendered in a county of the first class to a covered state employee in**

58e **the health care plan with the highest number of participants ←§ .**

59 (c) Subsection (1)(k) does not apply to expenses of a person held at the jail at the
60 request of an agency of the United States.

Legislative Review Note
as of 12-28-07 10:32 AM

Office of Legislative Research and General Counsel

H.B. 121 - County Charges for Services to Incarcerated Persons

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill could result in costs savings for counties currently paying above medicaid rates for incarcerated individuals.
