

SENATE BILL No. 1262

April 17, 2008, Introduced by Senators GARCIA, GLEASON, CROPSEY and PRUSI and referred to the Committee on Appropriations.

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," by amending sections 4 and 4a (MCL 801.4 and 801.4a), as amended by 2006 PA 20.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) Except as provided in ~~subsection (2)~~ **THIS SECTION**
2 and sections 5 and 5a, all charges and expenses of safekeeping and
3 maintaining prisoners and persons charged with an offense, shall be
4 paid from the county treasury, the accounts therefor being first
5 settled and allowed by the county board of commissioners.

6 **(2) IF MEDICAL CARE OR TREATMENT IS PROVIDED TO AN INDIVIDUAL**
7 **DESCRIBED IN SUBSECTION (1) WHILE THAT INDIVIDUAL IS IN THE**
8 **PHYSICAL CUSTODY OF A LAW ENFORCEMENT AGENCY OR THE STATE**

1 DEPARTMENT OF CORRECTIONS, THE COST OF THAT MEDICAL CARE OR
2 TREATMENT IS THE RESPONSIBILITY OF THE LAW ENFORCEMENT AGENCY OR
3 DEPARTMENT THAT HAS PHYSICAL CUSTODY OF THE INDIVIDUAL WHEN THE
4 COST IS INCURRED.

5 (3) ~~(2)~~—If medical care or treatment is provided to an
6 individual described in subsection (1), the health care provider
7 shall make a reasonable effort to determine whether that individual
8 is covered by a health care policy, a certificate of insurance, or
9 other source for the payment of medical expenses. If the county
10 sheriff who has custody over the individual is aware that the
11 individual is covered by any health care policy, certificate of
12 insurance, or other source of payment, the sheriff shall provide
13 that information to the health care provider. If the health care
14 provider determines that the individual, at the time of admission
15 or treatment, is a medicaid recipient or a beneficiary of any
16 health care policy, certificate of insurance, or other source for
17 the payment of some or all of those expenses, the health care
18 provider shall first seek reimbursement from that source, subject
19 to the terms and conditions of the applicable health care policy,
20 certificate of insurance, or medicaid contract, before submitting
21 those expenses to the county. When submitting an invoice to the
22 county for the payment of medical expenses under this section, a
23 health care provider shall provide a statement that the health care
24 provider has made a reasonable effort to determine whether the
25 individual was covered by a health care policy, certificate of
26 insurance, or other source for the payment of medical expenses. A
27 county may enter into agreements with health care providers to

1 establish procedures for the submission of invoices for medical
2 expenses under this section and the payment of those invoices.

3 Sec. 4a. (1) Except as provided in ~~subsection (2)~~ **THIS SECTION**
4 and sections 5 and 5a, all charges and expenses of safekeeping and
5 maintaining persons in the county jail charged with violations of
6 city, village, or township ordinances shall be paid from the county
7 treasury if a district court of the first or second class has
8 jurisdiction of the offense.

9 **(2) IF MEDICAL CARE OR TREATMENT IS PROVIDED TO AN INDIVIDUAL**
10 **DESCRIBED IN SUBSECTION (1) WHILE THAT INDIVIDUAL IS IN THE**
11 **PHYSICAL CUSTODY OF A LAW ENFORCEMENT AGENCY OR THE STATE**
12 **DEPARTMENT OF CORRECTIONS, THE COST OF THAT MEDICAL CARE OR**
13 **TREATMENT IS THE RESPONSIBILITY OF THE LAW ENFORCEMENT AGENCY OR**
14 **DEPARTMENT THAT HAS PHYSICAL CUSTODY OF THE INDIVIDUAL WHEN THE**
15 **COST IS INCURRED.**

16 **(3)** ~~(2)~~ If medical care or treatment is provided to an
17 individual described in subsection (1), the health care provider
18 shall make a reasonable effort to determine whether that individual
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