

HOUSE BILL No. 5975

March 23, 2010, Introduced by Reps. Cushingberry and Durhal and referred to the Committee on Judiciary.

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) and sections
2 5 and 5a, all charges and expenses of safekeeping and maintaining
3 prisoners and persons charged with an offense, **REGARDLESS OF**
4 **WHETHER THOSE INDIVIDUALS HAVE BEEN ARRAIGNED FOR THOSE OFFENSES,**
5 shall be paid from the county treasury, the accounts therefor being
6 first settled and allowed by the county board of commissioners.

7 (2) If medical care or treatment is provided to an individual
8 described in subsection (1), the health care provider shall make a

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

24 Sec. 4a. (1) Except as provided in subsection (2) and sections
25 5 and 5a, all charges and expenses of safekeeping and maintaining
26 persons in the county jail charged with violations of city,
27 village, or township ordinances, **REGARDLESS OF WHETHER THOSE**

1 **PERSONS HAVE BEEN ARRAIGNED FOR THOSE VIOLATIONS,** shall be paid
2 from the county treasury if a district court of the first or second
3 class has jurisdiction of the offense.

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

1 the payment of the invoices.