

20-619. FEE FOR MEDICAL SERVICE. (1) County sheriff departments administering county jails may charge a nominal fee of twenty dollars (\$20.00) ~~to any nonindigent inmate who has sufficient funds in his commissary or personal account~~ for the purpose of seeing the jail provided doctor or nurse for a medical complaint. In the event that an inmate is indigent, such service shall be provided by the county ~~at no cost~~ **regardless of the ability to pay.**

(2) The county sheriff departments administering county jails may charge **an inmate actual costs at the time of service** ~~to any nonindigent inmate who has sufficient funds in his commissary or personal account~~ **for any expenses incurred by the county to provide medical or mental health services, pharmaceuticals to persons that are housed in the county jail, or were housed in a county jail in the previous five years, to include any period of pretrial or prejudicated detention.**

(3) ~~A "nonindigent" inmate, for purposes of this section, is an inmate who has money in his commissary or personal account normally used for the purchase of personal items for the inmate.~~ "Expenses" shall include but are not limited to; all medications, in-jail medical profession visits, out-of-jail medical professional visits, mental health professional visits, dental or other services prescribed or authorized by jail medical staff.

(4) All debts incurred pursuant to this section may be collected from the inmate's commissary or ~~other personal~~ account, in whole or in part, at any time during the period of incarceration, whenever moneys exist in or are placed into the inmate's **established** ~~commissary or personal~~ account, provided that the jail has in place a process by which the affected inmate may contest the assessment of moneys owed. Collection of moneys owed may occur at any time, in whole or in part, until such time as the full balance of the moneys owed is completely retired, provided that there shall be no further efforts to collect the debt after five (5) ~~four (4)~~ years from the date in which the debt was actually incurred. **The Sheriff may refer the collection of all medical expenses to the county assistance offices for processing for reimbursement to the county under Idaho Code, Chapter 35, title 31**

(5) **Before seeking any reimbursement under this section, the sheriff shall develop a form to be used for determining the financial status of prisoners. The form shall provide for obtaining the age and marital status of the prisoner, the number and ages of children of the prisoner, the number and ages of other dependents, type and value of real estate, type and value of real and personal property, type and value of investments, cash, bank accounts, pensions, annuities, salary, wages and any other personal property of significant cash value. The county shall use the form when investigating the financial status of a prisoner and when seeking reimbursement.**

(6) The county sheriff may require the inmate to provide health insurance information including, but not limited to, group, plan and identification numbers. The county sheriff is authorized to submit medical costs to the inmate's health insurance company on behalf of the inmate.

(7) **The reimbursements secured under this section shall be credited to the justice fund or current expense fund of the county to be available for jail maintenance and operation purposes.**

History:

[20-619, added 1994, ch. 213, sec. 1, p. 672; am. 2001, ch. 50, sec. 1, p. 92; am. 2005, ch. 181, sec. 2, p. 556.]