



## HEALTH CARE COSTS

### POLICY.

Inmates are responsible for the cost of their health care while incarcerated, in accordance with ORS 169.150 and 169.166. Medical Unit members will provide necessary and equal health care services to all inmates regardless of their ability to pay for services. In an effort to reduce medical expenses, Deschutes County Sheriff's Office – Adult Jail (AJ) will pursue reimbursement for eligible medical costs.

### PURPOSE.

This policy provides guidelines for members when charging and collecting fees from inmates receiving health care services. Holding inmates accountable for some services received may contribute to their rehabilitation.

### OREGON JAIL STANDARDS:

- G-103 Cost of Health Care Services
- G-202 Health Assessment
- G-214 ACA and Private Health Insurance

### REFERENCES:

- ORS 169.150, Payment of Expense of Keeping Prisoners
- ORS 169.166, Liability For Costs of Medical Services

### DEFINITIONS:

**Health Care Members.** Any professional licensed or certified to provide health care services in Oregon, including physicians.

**Funds.** Includes, but is not limited to, monies deposited with the AJ for inmates housed there, and any other monies received by Sheriff's Office that are not required by law to be credited to other accounts.

### PROCEDURES.

#### **SECTION A: ACCESS TO HEALTH CARE**

**A-1.** Medical Unit members will provide reasonable and adequate health care services to all inmates regardless of their ability to pay for services.

***SECTION B: REQUEST FOR HEALTH CARE***

- B-1.** Inmate requested health care services are subject to fees. Inmates will be charged when submitting a Health Care Request for medication, medical items, or during an emergency situation. Inmates are not charged for Behavioral Health requests.
- B-2.** An inmate requesting health care services while incarcerated may be charged a nominal fee. However, necessary services will not be denied due to the inability to pay.
- B-3.** Inmates receiving health care services will sign one of the below listed forms:
  - a. *Health Care Request Form No. 545*; when requesting to see or receive services/treatment from the AJ Medical Unit.
  - b. *Medical Services Rendered Form No. 546*; when receiving health care services (or other treatment) from the AJ Medical Unit.

***SECTION C: ADMINISTRATION OF HEALTH CARE COSTS***

- C-1.** Funds placed on an inmate's commissary account will be used to pay for all or part of the medical charges. Members will deduct from the inmate's account after the inmate receives the health care service.
- C-2.** If the inmate is indigent, health care services will be charged to the inmate's account. Charges may result in a negative balance. Future deposits to the inmate's account may be used to resolve the negative balance. This includes any future incarcerations.
- C-3.** When funds are removed from an inmate's account for health care services, inmates shall receive a receipt for services.
- C-4.** Inmates will not be charged fees for intake screenings, 14-day health assessments, periodic health assessments, or exams required by jail policy and procedure.
- C-5.** Members may take additional legal steps to collect any unpaid funds when inmates are released from custody with unpaid medical charges.
- C-6.** Funds for health care costs will be deposited into the Sheriff's Office Revenue Account. The Corrections Captain will review the jail's commissary accounts on a monthly basis.
- C-7.** Inmates will assume financial responsibility for elective procedures with personal physicians in accordance with Policy CD 10-14, *Private Medical/Mental Health Consultation*.

***SECTION D: AFFORDABLE CARE ACT AND PRIVATE HEALTH INSURANCE***

- D-1.** An inmate's personal health insurance may be charged for the provision of any health care services. For pre-trial inmates, all medical services not provided by the jail must first be billed to the inmate's private insurance pursuant to ORS 169.166. If the medical provider has not been paid within 45 days, the medical provider may bill the AJ. The AJ may seek reimbursement for the medical costs provided in jail from the inmate's private insurance to help reduce medical costs.
- D-2.** Oregon Health Plan (OHP) will suspend any actively enrolled members upon incarceration; however, OHP may be reinstated for emergent circumstances for medically risky inmates. Members will seek reimbursement for hospital charges when the inmate is admitted to in-patient hospital care for more than 24-hours.
- D-3.** Inmates not covered by the Affordable Care Act (ACA) or OHP will be offered a chance to enroll while incarcerated.
- The inmate may send an *Inmate Message Form No. 103* to request an application for OHP.
  - An application will be provided. After completion, the inmate will return the application to a deputy.
  - OHP "Assister" trained members will check the application for completeness and start the enrollment process. Incomplete application will be returned to the inmate to for update and then returned.
  - When the inmate is released from custody, an Assister will complete the enrollment process. OHP will not enroll someone who is incarcerated.
  - The application will be scanned into the inmate's JMS file, and notes regarding the process will be made in JMS Attachments.

### **SECTION E: FEE SCHEDULES**

- E-1.** Established fee schedules for health care services are approved by the Board of County Commissioners (BOCC). The medical fee schedule may be changed on a yearly basis and approved by the BOCC. The current fee schedule is listed on the *Health Care Request Form No. 545*.
- E-2.** Members will inform the inmate that they will be charged a fee for health care services as set out on the *Health Care Request Form No. 545*.
- E-3.** When inmates are lodged, they receive written notification of their responsibility to pay for health care services received on the *Intake Medical Screening Form No. 501*.
- E-4.** Over-the-counter medication fees are posted on the medication cart and are visible at the time of purchase. Fees for over-the-counter medications are deducted at the time of purchase from the inmate's account. Over-the-counter medication will be charged to the inmates' account regardless of their ability to pay.

***SECTION F: GRIEVANCES***

F-1. Inmates will follow procedures set out in the [Inmate Grievance Policy No. CD-6-7](#), to challenge health care service fees deducted from their account.

**FORMS USED:**

- Inmate Message Form No. 103
- [Intake Medical Screening Form No. 501](#)
- Health Care Request Form No. 545
- Medical Services Rendered Form No. 546