

SENATE BILL No. 560

May 12, 2009, Introduced by Senators GARCIA, CROPSEY and ANDERSON 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)~~ **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**
9 **DEPARTMENT OF CORRECTIONS, THE COST OF THAT MEDICAL CARE OR**

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

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

1 expenses under this section and the payment of those invoices.

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

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