

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 466

H.P. 350

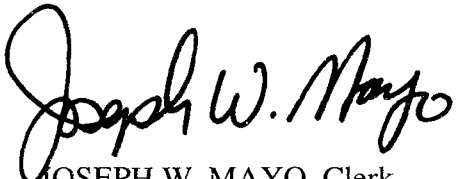
House of Representatives, January 14, 1999

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**An Act Concerning Payment of Medical Costs for Prisoners in County  
Correctional Facilities.**

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Reference to the Committee on Criminal Justice suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative DUGAY of Cherryfield.  
Cosponsored by Senator CASSIDY of Washington and  
Representatives: BAGLEY of Machias, DAVIDSON of Brunswick, GILLIS of Danforth,  
GOODWIN of Pembroke, JABAR of Waterville, POVICH of Ellsworth, SHOREY of Calais,  
WHEELER of Eliot.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 30-A MRSA §1561, sub-§4 is enacted to read:**

6 4. **Preexisting medical condition.** Notwithstanding the  
8 other provisions of this section, a prisoner may be liable for  
10 all costs of medical care and treatment received in a county jail  
12 for a medical condition that existed before the prisoner was  
14 incarcerated in that county jail.

16 **Sec. 2. 30-A MRSA §1561-A is enacted to read:**

18 **§1561-A. Reimbursement from Department of Corrections for**  
20 **certain medical costs**

22 Notwithstanding section 1561, the Department of Corrections  
24 shall reimburse a county in full for medical costs incurred by  
26 that county in caring for a prisoner incarcerated in a county  
28 jail if:

30 1. **Failure to make bail.** The prisoner has been held on  
32 state charges for more than 30 days for failure to make bail;

34 2. **Pending trial.** The prisoner has been held for more than  
36 30 days pending trial; or

38 3. **Pending sentencing.** The prisoner is being held pending  
40 sentencing.

42 **Sec. 3. 34-A MRSA §3031-A is enacted to read:**

44 **§3031-A. Reimbursement for certain medical costs; preexisting**  
46 **conditions**

48 Notwithstanding section 3031 and Title 30-A, section 1561,  
50 the department shall reimburse in full a county for medical costs  
52 incurred by that county in caring for a prisoner incarcerated in  
a county jail if:

1. **Failure to make bail.** The prisoner has been held on  
state charges for more than 30 days for failure to make bail;

2. **Pending trial.** The prisoner has been held for more than  
30 days pending trial; or

3. **Pending sentencing.** The prisoner is being held pending  
sentencing.

For the purposes of subsections 1 and 2, the Department of  
Corrections shall pay for costs incurred on the 31st day of  
incarceration forward.

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## SUMMARY

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The bill requires the Department of Corrections to fully reimburse counties for costs incurred in providing medical care to prisoners who are held in county jails on state charges for more than 30 days for failure to make bail or pending trial or are held pending sentencing. The bill also allows counties to hold prisoners liable for the costs of medical treatment for medical conditions that existed before incarceration.