

SENATE BILL No. 1103

February 3, 2010, Introduced by Senators BRATER, GLEASON, SCOTT and JACOBS and referred to the Committee on Appropriations.

A bill to amend 1846 RS 171, entitled
"Of county jails and the regulation thereof,"
by amending section 4 (MCL 801.4), 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, **AFTER** the accounts ~~therefor being~~
5 ~~first~~ **FOR THOSE CHARGES AND EXPENSES ARE** settled and allowed by the
6 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
9 reasonable effort to determine whether that individual is covered

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

23 **(3) IF A COUNTY INCURS EXPENSES UNDER SUBSECTION (1) FOR**
24 **MENTAL HEALTH SERVICES PROVIDED THROUGH A COMMUNITY MENTAL HEALTH**
25 **SERVICES PROGRAM TO PRISONERS OR PERSONS CHARGED WITH OFFENSES, AND**
26 **IF THOSE EXPENSES ARE NOT REIMBURSED UNDER SUBSECTION (2), THE**
27 **COMMUNITY MENTAL HEALTH SERVICES PROGRAM SHALL REIMBURSE THE COUNTY**

1 FOR THOSE EXPENSES.

2 (4) NOTWITHSTANDING THE ABILITY OF A COMMUNITY MENTAL HEALTH
3 PROGRAM TO OBTAIN REIMBURSEMENT FOR PROVIDING MENTAL HEALTH
4 SERVICES FROM EITHER THE PRISONER, THE PERSON CHARGED, A THIRD
5 PARTY, OR ANY COMBINATION OF THOSE, THE FINANCIAL LIABILITY FOR
6 PROVIDING MENTAL HEALTH SERVICES IS THE RESPONSIBILITY OF THE
7 COMMUNITY MENTAL HEALTH PROGRAM PROVIDING THE MENTAL HEALTH
8 SERVICES WITHIN THE COUNTY.