JAN 1 7 2024

A BILL FOR AN ACT

RELATING TO HEALTH CARE FEES OF DETAINEES AND COMMITTED PERSONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1	SECTION 1. Chapter 353, Hawaii Revised Statutes, is		
2	amended by adding a new section to be appropriately designated		
3	and to read as follows:		
4	"§353- Medical, dental, or mental health services or		
5	treatment; fees prohibited. Notwithstanding section 353-13.5,		
6	the department of corrections and rehabilitation shall not		
7	assess any fees upon detainees or committed persons for any		
8	medical, dental, or health services or treatment; provided that		
9	the medical, dental, or health services or treatment is provided		
10	within a public correctional institution that is in the State.		
11	"Medical, dental, or health services or treatment" shall		
12	include:		
13	(1) Medication;		
14	(2) Prosthetic purchases;		
15	(3) Detainee or committed person elective physician		
16	visits, including dietetic consultations that are		
17	unrelated to a medical condition or chronic disease;		

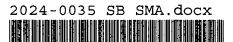
S.B. NO. 203

1	(4) Detainee or committed person elective medical and
2	dental procedures; and
3	(5) Treatment for self-induced injuries."
4	SECTION 2. Section 353-13.1, Hawaii Revised Statutes, is
5	repealed.
6	["\$353-13.1 Nonemergency medical, dental, mental health
7	services or treatment; intentional injury; payment by inmates.
8	(a) The department of corrections and rehabilitation may
9	develop policies and procedures governing the assessment of fees
10	upon detainees and committed persons who receive certain
11	medical, dental, or mental health services or treatment. In
12	adopting these policies and procedures, the department shall
13	safeguard the health and welfare of detainees and committed
14	persons.
15	(b) The policies and procedures shall enable the
16	department to assess fees upon detainees and committed persons
17	who:
18	(1) Request certain nonemergency medical, dental, or
19	mental health services or treatment; or
20	(2) Intentionally inflict injury to themselves.

S.B. NO. 2013

1	(c)	The policies and procedures shall include an appeals	
2	process t	o allow a detaince or committed person to appeal the	
3	assessment.		
4	(d)	The department of corrections and rehabilitation may	
5	adopt pol	icies and procedures to establish a fee schedule for	
6	medical,	dental, and mental health services or treatment under	
7	the follo	wing conditions:	
8	(1)	Fees shall be assessed from the detained or committed	
9		person's individual trust account pursuant to section	
10		353 20; and	
11	(2)	Fees shall not be assessed if the individual trust	
12		account balance is less than \$10; provided that the	
13		department may implement a procedure to recover fees	
14		in the future."]	
15	SECT	ION 3. Statutory material to be repealed is bracketed	
16	and stric	ken. New statutory material is underscored.	
17	SECT	ION 4. This Act shall take effect upon its approval.	
18			

INTRODUCED BY:



S.B. NO. 2013

Report Title:

Department of Corrections and Rehabilitation; Inmates; Detainees; Committed Persons; Medical, Dental, or Mental Health Services or Treatment; Fees Prohibited

Description:

Prohibits the assessment of fees upon inmates for medical, dental, or mental health services or treatment that is provided within a public correctional institution in the State.

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