

A Bill for an Act Relating to Corrections.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 353, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§353- Nonemergency medical, dental, mental health services or treatment; intentional injury; payment by inmates.** (a) The department of public safety may develop policies and procedures governing the assessment of fees upon detainees and committed persons who receive certain medical, dental, or mental health services or treatment. In adopting these policies and procedures, the department shall safeguard the health and welfare of detainees and committed persons.

(b) The policies and procedures shall enable the department to assess fees upon detainees and committed persons who:

- (1) Request certain nonemergency medical, dental, or mental health services or treatment; or
- (2) Intentionally inflict injury to themselves.

(c) The policies and procedures shall include an appeals process to allow a detainee or committed person to appeal the assessment.

(d) The department of public safety may adopt policies and procedures to establish a fee schedule for medical, dental, and mental health services or treatment under the following conditions:

- (1) Fees shall be assessed from the detained or committed person’s individual trust account pursuant to section 353-20; and
- (2) Fees shall not be assessed if the individual trust account balance is less than \$10; provided that the department may implement a procedure to recover fees in the future.”

SECTION 2. One year after the start of the implementation of the assessment of fees for medical, dental, and mental health services or treatment, the department of public safety shall submit a report to the legislature that summarizes the total of moneys deducted from inmate accounts. The report shall include an estimate of savings to the department through the related reduction in nonemergency medical, dental, or mental health services or treatment, and intentional injuries.

SECTION 3. New statutory material is underscored.<sup>1</sup>

SECTION 4. This Act shall take effect upon its approval.

(Approved July 20, 1998.)

**Note**

1. Edited pursuant to HRS §23G-16.5.