

**ALLEN COUNTY CODE TITLE 8
PUBLIC SAFETY**

**ARTICLE 22
ALLEN COUNTY INMATE CO-PAYMENT FOR
MEDICAL AND DENTAL SERVICES POLICY**

8-22-1 Chapter 1: Definitions

The words and phrases used in this Ordinance are herein defined and for the purpose of this Ordinance shall be construed as follows, except when otherwise expressly provided:

8-22-1-1 Allen County Confinement Center

Shall mean the Allen County Lock-Up, Allen County Work Release Center, Allen County Jail, and any other detention facility for pre-trial detainees, convicted misdemeanor, and convicted felons remanded to the custody of the Allen County Sheriff.

8-22-1-2 Inmates

Shall mean pre-trial detainees, convicted felons, and convicted misdemeanants remanded to the custody of the Allen County Sheriff.

8-22-1-3 State Statute

Shall mean the Co-payment by Person Confined in the County Jail regulating the charges for persons confined to a county jail, Indiana Code 11-12-5-5.

8-22-1-4 Emergency

Shall mean a health care emergency requiring acute medical care, dental care, eye care or other health care related service in accordance with generally accepted medical and dental standards and the policies and procedures for the Allen County Police Department Medical Department.

8-22-2 Chapter 2: Co-Payment Fee for medical Care, Dental Care, Eye Care or Other Health Care Related Services

8-22-2-1 Co-Payment

Except as provided in Chapter 3, an inmate confined in an Allen County Confinement Center may be required to make a co-payment fee in an amount equal to \$15.00 for each provision of any of the following services.

(Amended 6-01-07 by Ordinance #6-01-07-14)

- (1) medical care;
- (2) dental care;
- (3) eye care; and
- (4) any other health care related service provided by physicians or other health care providers on behalf of the Allen County Sheriff's Department to inmates.

8-22-2-2 Authorizing Disbursement

Inmates requesting medical care or other health care services as provided herein shall be advised of this policy prior to furnishing such care and shall authorize a disbursement from the inmate's trust fund account as permitted by Indiana Code 36-8-10-22 to make the specified co-payment for each provision of health care related services.

8-22-2-3 Co-Payment Prescription Medications

Except as provided in Chapter 3, an inmate confined in an Allen County Confinement Center may be required to make a co-payment fee in an amount equal to \$10.00 for each provision of any of the following services:

- (1) Prescriptions

(Amended 6-01-07 by Ordinance #6-01-07-14)

8-22-3 Chapter 3: Exemption from Co-Payment Fees

8-22-3-1

The following inmates shall be exempted from the co-payment fee policy in accordance with Indiana Code 11-12-5-5:

- (a) An inmate who maintains a policy of insurance from a private company covering medical care, dental care, eye care, or any other health care related service; or
- (b) An inmate who is willing to pay at the time services are rendered for the person's own medical care with his own funds or from any other source satisfactory to the health care provider; or
- (c) An inmate who is committed to the Indiana Department of Corrections and for which medical services the Indiana Department of Corrections is liable under the laws of the State of Indiana; or

- (d) Any other inmate confined to the Allen County Confinement Center shall not be required to make a co-payment for health care services if:
 - (i) The inmate does not have funds in the person's commissary account or trust account at the time the service is provided; or
 - (ii) The person does not have funds in the person's commissary account or trust fund or trust account within sixty (60) days after the service is provided; or
(Amended 6-01-07 by Ordinance #6-01-07-14)
 - (iii) The service is provided in an emergency; or
 - (iv) Service is provided as a result of an injury received in the county jail; or
 - (v) The service is provided at the request of the Sheriff or jail administrator.

8-22-4 Chapter 4: County Medical Care for Inmates Fund

8-22-4-1

There is hereby established the Allen County Medical Care For Inmates Fund which shall be a separate fund of the Allen County Police Department dedicated to pay for the cost of inmate medical, dental, eye care and other health care related services for inmates in the Allen County Confinement facilities.

8-22-4-2

Money collected from the co-payment fees charged to inmates shall be deposited in the County Medical Care For Inmates Fund and expended by the Sheriff of Allen County with approval by the auditor of Allen County for inmate medical care expenses as prescribed by Indiana Code 11-12-5-5.

8-22-5 Chapter 5: Severance Provision

8-22-5-1

Should any section, paragraph, sentence or clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

Original Ordinance signed on August 30, 1995.

(Rousseau, Bloom, McComb)