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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 921 Session of 2007

INTRODUCED BY ERICKSON, MUSTO, D. WHITE, FONTANA, RHOADES, COSTA, ROBBINS, McILHINNEY, RAFFERTY, GORDNER, WAUGH, WONDERLING, M. WHITE, O'PAKE, BAKER AND FERLO, JUNE 11, 2007

REFERRED TO JUDICIARY, JUNE 11, 2007

AN ACT

Amending the act of May 31, 1919 (P.L.356, No.170), entitled, as amended, "An act authorizing courts of record to remove convicts and persons confined in jails, workhouses, reformatories, reform or industrial schools, penitentiaries, prisons, houses of correction or any other penal institutions, who are seriously ill, to other institutions; and providing penalties for breach of prison," providing for payment of medical costs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of May 31, 1919 (P.L.356, No.170), entitled, as amended, "An act authorizing courts of record to remove convicts and persons confined in jails, workhouses, reformatories, reform or industrial schools, penitentiaries, prisons, houses of correction or any other penal institutions, who are seriously ill, to other institutions; and providing penalties for breach of prison," is amended by adding a section to read:

Section 1.1. (a) When a person is sentenced to the State correctional system and is in the custody of a county

correctional facility awaiting transfer to a State correctional facility, any and all medical costs incurred by the person, from the time of sentencing until the time of commitment to a State correctional facility, shall be the responsibility of the Department of Corrections. Medical costs include, but are not limited to, all medical care services, hospitalizations, durable and nondurable goods, prescription drugs, medications and transportation costs to and from the medical services located outside of the county correctional facility.

(b) The Department of Corrections shall enter into a memorandum of understanding with the county correctional facility and the receiving State correctional facility for a division of the responsibilities and duties for each facility and for the procedures to implement this section.

(c) The Department of Corrections shall devise and implement a program whereby the State-sentenced persons in subsection (a) who have medical insurance shall pay for their own medical needs through that insurance. The program shall be contained in regulations promulgated by the department.

Section 2. This act shall take effect in 60 days.