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## Public Safety Committee

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### HB 1744

**Brief Description:** Modifying provisions governing inmate funds subject to deductions.

**Sponsors:** Representative Appleton; by request of Department of Corrections.

#### Brief Summary of Bill

- Exempts from certain deduction requirements, money received by the Department of Corrections on behalf of an inmate from family or other outside sources for the payment of medical expenses.

**Hearing Date:** 2/10/15

**Staff:** Yvonne Walker (786-7841).

#### Background:

Anytime an inmate of a state prison receives funds, the funds are subject to certain mandatory deductions and priorities established in statute. These deductions vary depending on the types of funds received. Funds received for an inmate from sources other than wages or legal settlements or awards are subject to the following deductions:

- 5 percent for the purpose of crime victims' compensation;
- 10 percent to the personal inmate savings account;
- 20 percent to the Department of Corrections (DOC) to contribute to the costs of incarceration;
- 20 percent for payment of legal financial obligations owed by the inmate;
- 20 percent for any child support owed under a support order; and
- 20 percent for payment of any civil judgment owed for an assault offense.

"Civil judgment for assault" means a civil judgment for monetary damages awarded to a correctional officer or a DOC employee entered by a court against an inmate that is based on, or arises from, injury to the correctional officer or the DOC employee caused by the inmate while

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the correctional officer or employee was acting in the course and scope of his or her employment.

The mandatory statutory deductions do not apply to funds received on behalf of an offender for payment of educational or vocational programs or for the payment of postage expenses on behalf of the inmate.

Health Care Services for Offenders.

When an offender enters the custody of the DOC, a health profile for the offender must be prepared, including a financial assessment of the offender's ability to pay for all or a portion of the health care services received from personal resources or private insurance. Offenders are required to pay a co-payment of no less than \$4 per visit. The co-payment may be collected from the offender's institution account and is deposited into the State General Fund. All co-payments collected must be used to reduce expenditures for offender health care at the DOC.

Offenders are also required to pay for any over-the-counter medications. Such costs are charged to or debited from the offender's institution account.

**Summary of Bill:**

The mandatory deductions do not apply to any funds received for an inmate for payment of medical expenses. Such medical expenses include the purchase of over-the-counter medications and offender co-payments. After medical expenses have been paid, any funds that are remaining unused in the inmate's medical fund at the time of his or her release are subject to the standard statutory deductions.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.