

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**H**

**1**

**HOUSE BILL 1402**

Short Title: Medical Charges for County Prisoners. (Public)

---

Sponsors: Representative Wilkins.

---

Referred to: Health.

---

April 21, 2005

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FAIRNESS IN MEDICAL CHARGES FOR COUNTY  
3 PRISONERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-217 reads as rewritten:

6 "**§ 153A-217. Definitions.**

7 Unless otherwise clearly required by the context, the words and phrases defined in  
8 this section have the meanings indicated when used in this Part:

9 (1) "Commission" means the Social Services Commission.

10 (2) "Secretary" means the Secretary of Health and Human Services.

11 (3) "Department" means the Department of Health and Human Services.

12 (4) "Governing body" means the governing body of a county or city or the  
13 policy-making body for a district or regional confinement facility.

14 (4a) "Health care provider" means a physician, hospital, pharmacy,  
15 chiropractor, nurse, dentist, podiatrist, physical therapist, rehabilitation  
16 specialist, psychologist, and any other person or entity providing  
17 medical care pursuant to this Part.

18 (5) "Local confinement facility" includes a county or city jail, a local  
19 lockup, a regional or district jail, a juvenile detention facility, a  
20 detention facility for adults operated by a local government, and any  
21 other facility operated by a local government for confinement of  
22 persons awaiting trial or serving sentences except that it shall not  
23 include a county satellite jail/work release unit governed by Part 3 of  
24 Article 10 of Chapter 153A.

25 (5a) "Medical compensation" means payment by a unit of local government  
26 fo0r medical, surgical, hospital, nursing, and rehabilitative services,  
27 medicines, and other treatment, including medical and surgical  
28 supplies.

1           (6) "Prisoner" includes any person, adult or juvenile, confined or detained  
2           in a confinement facility.

3           (7) "Unit," "unit of local government," or "local government" means a  
4           county or city."

5           **SECTION 2.** Part 2 of Article 10 of Chapter 153A of the General Statutes is  
6           amended by adding the following new section to read:

7           "**§ 153A-225.2. Fees allowed for medical treatment of prisoners.**

8           (a) A health care provider shall not charge a local government, and the health  
9           care provider shall not be entitled to medical compensation, for treating a prisoner in an  
10           amount greater than that provided in the fee schedule and hospital fees as adopted by  
11           the Industrial Commission pursuant to G.S. 97-26.

12           (b) This section shall not apply to medical compensation paid to a health care  
13           provider by a local government pursuant to a contract of at least six months duration for  
14           the provision of medical care to prisoners."

15           **SECTION 3.** This act is effective when it becomes law.