

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 203  
By: Shapiro  
Finance  
2-10-97  
Committee Report (Substituted)

Currently, Texas law does not require an inmate who initiates a visit to a health care provider to make a copayment. In recent years in-prison medical costs have risen as prison sentences have increased and the age of the prison population has risen. The average inmate makes three times as many outpatient visits to a medical professional per year compared to state employees. There is concern that some of these medical visits are unnecessary. This bill seeks to deter the unnecessary use of medical services and to defray costs by requiring an inmate to make a copayment of \$3 for certain health care visits.

### **PURPOSE**

As proposed, C.S.S.B. 203 requires inmates confined in an institution of the Texas Department of Criminal Justice to make a copayment to the department of \$3 for certain health care visits.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 501B, Government Code, by adding Section 501.061, as follows:

Sec. 501.061. INMATE COPAYMENTS FOR CERTAIN HEALTH CARE VISITS. Requires an inmate confined in an institution of the Texas Department of Criminal Justice (department) who initiates a visit to a health care provider to make a copayment to the department in the amount of \$3. Requires the inmate to make the copayment out of the inmate's trust fund. Requires 50 percent of each deposit to the fund to be applied towards the balance owed until the total amount owed is paid, if the balance in the fund is insufficient to cover the copayment. Prohibits a copayment from being charged for health care under certain conditions. Prohibits the department from denying an inmate access to health care as a result of the inmate's failure or inability to make a copayment. Requires the department to deposit money received under this section in an account in the general revenue fund that may be used only to pay the cost of administering this section. Requires the comptroller to transfer any surplus from the preceding fiscal year to the credit of the compensation to victims of crime fund in the state treasury created under Chapter 56B, Code of Criminal Procedure.

SECTION 2. Effective date: January 1, 1998.

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

Amends SECTION 1, Section 501.061, Government Code, to replace the institutional division of the Texas Department of Criminal Justice with an institution of the Texas Department of Criminal Justice. Provides that a copayment shall not be charged for health care under certain conditions, rather than providing that a copayment may not be charged for health care. Provides that the department shall not deny an inmate access to health care as a result of the inmate's failure or inability to make a copayment, rather than providing that the department may not deny an inmate access to health care as a result of the inmate's failure or inability to make a copayment.

Amends SECTION 2 to provide that this Act takes effect January 1, 1998, rather than September 1,

1997.