



LEGISLATIVE BRIEF: INMATE MEDICAL COSTS

Background

In 2005, as part of the Association's legislative process, Durham County submitted a legislative goal that attempted to restrict what providers charged for medical care for county inmates. The goal suggested using the rates set in the Worker's Compensation schedule for county inmate medical care. Other counties across the state faced similar issues of struggling to pay the very high cost of treating jail inmates who need to go to the hospital. This initiative was included in the Association's legislative goal process in 2005-06.

As a result, Rep. W.A. Wilkins (Person) introduced a bill in 2005 to provide fairness in medical charges for county inmates. This piece of legislation defined health care providers and medical compensation received by local governments for various medical services for county inmates under the care and custody of the counties. The legislation further stated that healthcare providers shall charge fees adopted by the Industrial Commission pursuant to G.S. 97-26. However, this legislation did not apply to medical compensation paid to a healthcare provider by a local government pursuant to a contract of at least six months duration for the provision of medical care to prisoners.

The legislation prompted a stakeholder working group that included members of NCACC, the N.C. League of Municipalities, the N.C. Hospital Association and private medical insurance companies such as Blue Cross/Blue Shield. The group was designed to work out a compromise due to its controversy of lowering rates. The counties expressed that lowering rates set by the Industrial Commission was a reasonable compromise since the rates were higher than Medicaid rates. An impasse developed during the negotiation process and the legislation did not move forward.

Outlook for 2010

For the short session, there may be negotiation process regarding the readjustment of rates of state offenders. The NCACC has an interest in revisiting this issue and would consider including inmates in county jails as well. At this time it is unclear if this matter will reach a resolution during the 2010 session. It is likely that the issue will be addressed during the 2011 session.