

## Medical Treatment of Persons Arrested Policy 12-04

**PURPOSE:** To provide a uniform procedure for the payment of medical treatment of persons arrested in Hernando County in accordance with s. 901.35, Florida Statutes.

**POLICY:** Financial responsibility for medical treatment of persons arrested will be approved if the arrested person was arrested in Hernando County, and if the arrest was for violation of a state law or county ordinance; a showing from the provider that reimbursement from the sources listed in s.901.35. F.S., is not available; and the responsibility for payment of such medicaid costs shall exist until such time as an arrested person is released from the custody of the arresting agency.

1. Notwithstanding any other provision of law, the financial responsibility for paying the expenses of medical care, treatment, hospitalization and transportation for any person, ill, wounded, or otherwise injured during or at the time of arrest for any violation of a state law or a county or municipal ordinance is the responsibility of the person receiving such care, treat, hospitalization, and transportation. The provider of such services shall seek reimbursement for the expenses incurred in providing medical care, treatment, hospitalization, and transportation from the following sources in the following order:
  - a. From an insurance company, health care corporation, or other source if the prisoner is covered by an insurance policy or subscribes to a health care corporation or other source for those expenses.
  - b. From the person receiving the medical care, treatment, hospitalization or transportation.
  - c. From a financial settlement for the medical care treatment, hospitalization or transportation payable or accruing to the injured party.
2. The provider of services must show that reimbursement from the sources listed above is not available and therefore the cost of medical care, treatment, hospitalization or transportation shall be paid from the following sources in the following order:
  - a. From the general fund of the county in which the person was arrested, if the arrest was for violation of a state law or county ordinance.
  - b. From the municipal general fund, if the arrest was for violation of a municipal ordinance.
  - c. The responsibility for payment of such medical costs shall exist until such

time as an arrested person is released from the custody of the arresting agency.

**PROCEDURE:** Prior to payment of any bills received from a provider for such services noted in this policy the following will be completed:

- Proof of attempts for reimbursement in accordance with s.901.35 F.S., must be submitted by the provider for each claim.
- Confirmation that the person was arrested in Hernando County.
- Confirmation that the person was arrested in a municipality for a violation of a municipal ordinance.
- Confirmation that the medical expenses were incurred between the time the person was arrested and the time the person was released from the custody of the arresting agency.
- Proof that the arrested person was not under incarceration or being held at a correctional facility prior to the provision of medical care.
- Determination by the Health & Human Services office that an arrested person is indigent and that they do not qualify for any federal, state or local health insurance, or health care benefit from any other source for their medical care, treatment, hospitalization or transportation related to s.901.35 F.S.
- An itemized summary will be forwarded to the provider for each denied invoice indicating the reason for denial.
- Payments will be remitted in the amount totaled from the approved invoices within 30 days from receipt of the invoice.
- County may seek assignment from a financial settlement for the medical care, treatment, hospitalization or transportation payable or accruing to the provider or the injured party as a result of or related to the arrest under s.901.35 F.S.

Adopted: May 22, 2007