

PRISONER REIMBURSEMENT POLICY

KRS Chapter 441 provides for reimbursement for expenses incurred by reason of the prisoner's confinement.

I. DEFINITIONS:

- A. **ADMINISTRATIVE PROCESSING/BOOKING FEE:** A Thirty Dollar (\$30.00) fee assessed to each prisoner to help defray the cost of intake processing and release.
- B. **BILLING STATEMENT:** A written statement given to the prisoner upon his/her release from confinement detailing all charges and payments assessed to the prisoner's account.
- C. **INDIGENT PRISONER:** A prisoner confined to have insufficient resources necessary to provide for his/her basic needs as determined by the Hart County Jail.
- D. **MEDICAL AND DENTAL EXPENSES:** The actual cost incurred for medical attention outside the Hart County Jail.
- E. **NURSE VISIT COPAY:** A prisoner that is seen by the staff nurse. A Five Dollar (\$5.00) charge shall be assessed on the prisoner's account. A prisoner referred to a medical provider by the nurse and who pays the actual cost of the provider shall not be required to pay the Five Dollar (\$5.00) nurse visit co-pay.
- F. **PRESCRIPTION FEE:** The actual cost incurred for each prescription.
- G. **TRANSPORTATION:** Fee for transportation outside this facility will be Fifteen Dollars (\$15.00) per hour per deputy, plus thirtyone cents (\$.31) per mile.

II. POLICY:

KRS Chapter 441 provides for reimbursement, including, but not limited an Administrative Processing/Booking Fee, accordingly. The Hart County Jail shall impose an Administrative Processing/Booking Fee of Thirty Dollars (\$30.00) to all persons booked into the Hart County Jail. This service fee shall be imposed on all individuals who are processed and released (bond, recognizance, etc.), as well as those persons who have been admitted to the jail. This fee shall be in addition to any other fees, payments and/or penalties in accordance with the Reimbursement Policy and/or fines imposed by the court system.

III. PROCEDURE:

- A. **ADMISSION:** Upon entering the Hart County Jail, all persons, except those the Department of Corrections, Bureau of Prisons, U. S. Marshals, Immigrations, or TransCor, is financially responsible for Administrative Processing/Booking Fee.
- B. **NOTIFICATION:** The Administrative Processing/Booking Fee shall be made part of the posted rules and regulations.
- C. **Application of fee:** The prisoner's account shall be charged Thirty Dollars (\$30.00) at the time of intake.
- D. **COLLECTION OF FEE:** Any available funds in the prisoner's account shall be used to pay any outstanding balance owed to the Hart County Jail prior to release of the funds for any other purpose except Section III (E) of this Policy.
- E. **PRISONERS POSTING BOND:** A prisoner may use funds in his/her account in order to post bond. The current Administrative Processing/Booking Fee shall be collected prior to releasing funds for bonding.
- F. **NEGATIVE PRISONER ACCOUNT BALANCE:** In the event that there are not sufficient funds in the prisoner's account, a negative balance shall be placed in their account. The negative account shall be deducted if/when deposits are made to the prisoner's account. When deposits are received, Forty Percent (40%) will go toward the canteen account and Sixty Percent (60%) will go towards payment of the negative balance. This negative balance shall be maintained in the prisoner's account.
- G. **BUDGET:** All moneys received from the Administrative Processing/Booking Fee shall be sent to the County Treasurer for placement in the **JAIL'S** budget.

HOUSING REIMBURSEMENT FEE

IV. POLICY:

KRS Chapter 441 provides for reimbursement, including, but not limited to, per diem for room and board not to exceed Fifty Dollars (\$50.00) per day for the entire time of their incarceration.

- A. **ADMITTANCE:** Upon entering the Hart County Jail, all persons, except those the Department of Corrections, Bureau of Prisons, U. S. Marshals, Immigrations, TransCor, or Contracted Jails, is financially responsible for housing, shall be assessed a per diem for room and board of Twenty Dollars (\$20.00) per day.
- B. **NOTIFICATION:** The Housing Reimbursement Fee shall be made part of the posted rules and regulations.
- C. **APPLICATION OF FEE:** The prisoner's account shall be assessed a per diem fee.
- D. **COLLECTION OF FEE:** Any available funds in the prisoner's account shall be used to pay any outstanding balance owed to the Hart County Jail prior to release of the funds for any other purpose, except Section IV (E) of this Policy.
- E. **PRISONER POSTING BOND:** A prisoner may use funds in his/her account in order to post bond. The current Administrative Processing/Booking Fee shall be collected prior to releasing funds for bonding.
- F. **NEGATIVE PRISONER ACCOUNT BALANCE:** In the event that there are not sufficient funds in the prisoner's account, a negative balance shall be placed in their account. The negative amount shall be deducted if/when deposits are made to the prisoner's account. When deposits are received, Forty Percent (40%) will go toward the canteen account and Sixty Percent (60%) will go toward the negative balance. This negative balance shall be maintained in the prisoner's account for an indefinite period of time in the event of re-incarceration.
- G. **EXEMPT PRISONER:** No per diem shall be charged to any prisoner who is required to pay a work release or weekender fee pursuant to KRS 439.179, a prisoner that has been ordered to pay a reimbursement fee by the court pursuant to KRS 534.045, or that the Department of Corrections, Bureau of Prisons, U. S. Marshals, TransCor, or Immigrations, is financially responsible for housing.
- H. **PRISONERS HOUSED FOR OTHER COUNTIES:** The county we are housing shall be responsible for collecting any reimbursement fees. Hart County Jail will not charge an out of county inmate. The billing will remain the same.
- I. **BUDGET:** All moneys received from the Housing Reimbursement Fee shall be sent to the County Treasurer for placement in the JAIL'S budget.

MEDICAL AND DENTAL EXPENSES

V. POLICY:

KRS Chapter 441 provides for the collection of actual medical and dental expenses.

VI. PROCEDURE:

- A. **MEDICAL/DENTAL EXPENSES:** Any medical, medication, and/or dental expenses incurred by a prisoner in the Hart County Jail shall be charged to the prisoner's account.
- B. **MEDICATION:** All medical and/or dental medication bills shall be forwarded to the Hart County Jail. The actual cost of service received by the prisoner shall be charged to the prisoner's account.
- C. **ASSESSMENT TO PRISONER ACCOUNT:** All medical, medication, and/or dental bills shall be forwarded to the Hart County Jail. The actual cost of service received by the prisoner shall be charged to the prisoner's account.

- D. **PRISONERS WITHOUT NECESSARY FUNDS:** No prisoner shall be denied medical care or medication based upon his/her ability to pay.
- E. **RIGHT OF REFUSAL OF TREATMENT:** The prisoner retains the right to refuse medical care and/or treatment unless determined by the medical personnel that the delay in treatment cannot be postponed until after the period of confinement without hazard to the life or health of the prisoner.
- F. **SERVICES NOT REQUIRING MEDICAL PAY:**
 - 1. Health Appraisal
 - 2. In-House Mental Health Services
 - 3. Drug & Alcohol Programs (AA and NA)
- G. **EXEMPT PRISONERS:** A prisoner for which the Department of Corrections, Bureau of Prisons, U. S. Marshals, TransCor, Contracted Counties, or Immigrations is financially responsible for housing shall be exempt from payment of medical services provided them except for the Nurse Visit Co-pay, Physician Co-pay and Prescription Co-pay pursuant to KRS 441.045.
- H. **NEGATIVE PRISONER ACCOUNT BALANCE:** In the event that there are not sufficient funds in the prisoner's account, a negative balance shall be assessed to the prisoner's account. The negative amount shall be deducted if/when deposits are made to the prisoner's account. When deposits are received, Forty Percent (40%) will go toward the canteen account and Sixty Percent (60%) will go toward the negative balance. This negative balance shall be maintained in the prisoner's account for an indefinite period of time in the event of re-incarceration.
- I. **BUDGET:** All moneys received from the Medical and Dental Expense reimbursement shall be sent to the County Treasurer for placement in the **JAIL'S** budget.

REIMBURSEMENT FOR COUNTY PROPERTY

VII. POLICY:

KRS Chapter 441 provides for the collection of restitution for damage to the Hart County Jail.

VIII. PROCEDURE:

- A. **ABUSED/MISUSED PROPERTY:** Prisoner(s) who have been found to have abused or misused county property shall be responsible for restitution for any damage. The jailer or his designee must approve the prisoner's account being charged.
- B. **RESTITUTION AMOUNT:** The amount of restitution shall be limited to the actual cost of repair and/or replacement and a reasonable administrative fee for the time associated with the repair and/or replacement.
- C. **NEGATIVE PRISONER ACCOUNT BALANCE:** In the event there are not sufficient funds in the prisoners account, a negative balance shall be placed in their account. The negative amount shall be deducted if/when deposits are made to the prisoner's account. When deposits are received, Forty Percent (40%) will go toward the canteen account and Sixty Percent (60%) will go toward the negative balance. The negative balance shall be maintained in the prisoner's account for an indefinite period of time in the event of re-incarceration.
- D. **BUDGET:** All moneys received from the restitution for damage to property shall be sent to the County Treasurer for placement in the **JAIL'S** budget.

COLLECTION OF FEES


IX. POLICY:

The prisoner shall pay in full the balance due on the billing statement at time of release or participate in a reimbursement plan pursuant to KRS Chapter 441.

X. **PROCEDURE:**

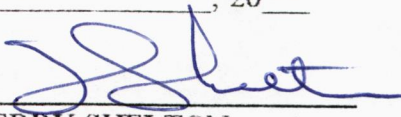
- A. **FEES OWED BY PRISONERS:** Upon release, the jailer or his designee shall collect from the prisoner all fees due.
- B. **REIMBURSEMENT PLAN:** In the event the prisoner is unable to pay the entire amount owed upon release or there exists circumstances justifying a modification of the fees presently assessed, the jailer or his designee may work with said prisoner to develop a reimbursement plan to be implemented upon the prisoner's release.
- C. **NEGOTIATED BILLING STATEMENT AGREEMENT:** The reimbursement plan shall be set out in the Negotiated Billing Statement. If the prisoner chooses to participate in a negotiated billing agreement with the jailer or his designee, the terms of the agreement shall be set forth in a Negotiated Billing Statement Agreement signed by all parties.
- D. **CONTRACT WITH OUTSIDE AGENCIES:** The Fiscal Court, upon the advise of the jailer, may contract with one (1) or more public agencies or private vendors to perform billing and/or collection of outstanding account balances if the prisoner does not make arrangements for a Negotiated Billing Statement Agreement within 120 days of the prisoner's date of release. The jailer or his designee may report unpaid prisoner accounts of said collection agencies.
- E. **CIVIL ACTION TAKEN AGAINST RELEASED PRISONERS:** If within 120 days after the date of the prisoner's release from confinement, and he/she does not make arrangements for a Negotiated Billing Statement Agreement, the Fiscal Court, the county attorney, jailer, or the jailer's designee, may file a civil action to seek reimbursement from the prisoner for any amount owed which remains unpaid.

Approved by Fiscal Court of Hart County, Kentucky, this day, the 15th day of February, 2001.

(Signed) 
TERRY SHELTON
Hart County Judge/Executive

UPON MOTION DULY MADE BY Albert Hoover, AND SECONDED BY Jim Stewart, AND WITH 6 MEMBERS VOTING "AYE" AND WITH 0 MEMBERS VOTING "NAY"

This Prisoner Reimbursement Policy KOC 220.11 was duly adopted by Fiscal Court of Hart County, Kentucky, this day, the 15th day of March, 2001

(Signed) 
TERRY SHELTON
Hart County Judge/Executive