HOUSE DOCKET, NO. 657 FILED ON: 1/18/2011

HOUSE . . . . . No. 483

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth A. Poirier

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing sheriffs to impose fees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Elizabeth A. Poirier	*14th Bristol*
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Susan Williams Gifford	*2nd Plymouth*
F. Jay Barrows	*1st Bristol*
Thomas J. Calter	*12th Plymouth*
Daniel K. Webster	*6th Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Shaunna O'Connell	*3rd Bristol*
Todd M. Smola	*1st Hampden*
Paul K. Frost	*7th Worcester*
George T. Ross	*2nd Bristol*
Richard Bastien	*2nd Worcester*
Matthew A. Beaton	*11th Worcester*
Kimberly N. Ferguson	*1st Worcester*
Steven S. Howitt	*4th Bristol*
Kevin J. Kuros	*8th Worcester*
Steven L. Levy	*4th Middlesex*

David T. Vieira	*3rd Barnstable*
Daniel B. Winslow	*9th Norfolk*
James J. Dwyer	*30th Middlesex*
Stephen L. DiNatale	*3rd Worcester*
Thomas M. Hodgson	*Bristol County Sheriff's Office* *400 Faunce Corner Road* *North Dartmouth, MA 02747*

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By Ms. Poirier of North Attleborough, a petition (accompanied by bill, House, No. 483) of Elizabeth A. Poirier and others that county commissioners and the sheriffs for the various counties institute a schedule of fees and assess fees to inmates in their custody. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *4620* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act authorizing sheriffs to impose fees.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 127 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting, after section 48A, the following section:-

Section 48B. The commissioner and the sheriffs for the various counties may institute a schedule of fees and assess said fees to inmates in their custody as follows:-

A daily cost of custodial care fee not to exceed $5;

A medical sick call visit fee not related to a condition pre-existing at the time of incarceration not to exceed $5;

A dental sick call visit fee not to exceed $5;

A pair of prescription eyeglasses fee not to exceed$5;

A pharmacy prescription fee not to exceed $3 per prescription.

Any penal facility assessing fees shall establish a procedure for inmates to appeal any such assessment.

Notwithstanding the above, the following services shall be exempt from fee assessment: admission health screening, 14 day health assessment, emergency health care, hospitalization or

15 infirmary care, prenatal care, lab and diagnostic care, follow-up visits approved by health
16 services, contagious disease care and chronic disease care.

17 No inmate shall be denied access to medical or dental care because of an inability to pay
18 any fee. Indigent inmates shall have the above fees and costs assessed and debited against the
19 inmate's money account which, if not paid, shall remain due and payable as a charge to the
20 inmate after his release from custody. If the inmate is not incarcerated within 2 years of his
21 release from custody, this debt shall be forgiven.

22 This section shall not apply to federal inmates, detainees or regional lock-up inmates. The
23 commissioner and the sheriffs of the various counties shall promulgate rules and regulations for
24 the implementation of this section.