



Judiciary II - Criminal Law Committee

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LRB095 07058 RLC 36677 a

1 AMENDMENT TO SENATE BILL 1348

2 AMENDMENT NO. _____. Amend Senate Bill 1348, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The County Jail Act is amended by changing
6 Section 17 as follows:

7 (730 ILCS 125/17) (from Ch. 75, par. 117)

8 Sec. 17. Bedding, clothing, fuel, and medical aid;
9 reimbursement for medical ~~or hospital~~ expenses. The Warden of
10 the jail shall furnish necessary bedding, clothing, fuel, and
11 medical services ~~aid~~ for all prisoners under his charge, and
12 keep an accurate account of the same. When services that result
13 in qualified medical expenses ~~or hospital services~~ are required
14 by any person held in custody, the county, private hospital,
15 physician or any public agency which provides such services
16 shall be entitled to obtain reimbursement from the county ~~or~~

1 ~~from the Arrestee's Medical Costs Fund to the extent that~~
2 ~~moneys in the Fund are available~~ for the cost of such services.
3 The county board of a county may adopt an ordinance or
4 resolution providing for reimbursement for the cost of those
5 services at the Department of Healthcare and Family Services'
6 rates for medical assistance. To the extent that such person is
7 reasonably able to pay for such care, including reimbursement
8 from any insurance program or from other medical benefit
9 programs available to such person, he or she shall reimburse
10 the county or arresting authority. If such person is ~~has~~
11 ~~already been~~ determined eligible for medical assistance under
12 the Illinois Public Aid Code at the time the person is
13 ~~initially detained pending trial~~, the cost of such services, to
14 the extent such cost exceeds \$500, shall be reimbursed by the
15 Department of Healthcare and Family Services under that Code. A
16 reimbursement under any public or private program authorized by
17 this Section shall be paid to the county or arresting authority
18 to the same extent as would have been obtained had the services
19 been rendered in a non-custodial environment.

20 Unless the arrestee is eligible for medical assistance
21 under the Illinois Public Aid Code or reimbursement under a
22 public or private program authorized by this Section, an ~~Ar~~
23 arresting authority shall be responsible for any incurred
24 medical expenses relating to the arrestee until such time as
25 the arrestee is placed in the custody of the sheriff. However,
26 the arresting authority shall not be so responsible if the

1 arrest was made pursuant to a request by the sheriff. When
2 medical expenses ~~or hospital services~~ are required by any
3 person held in custody, the county ~~or arresting authority~~ shall
4 be entitled to obtain reimbursement from the County Jail
5 ~~Arrestee's~~ Medical Costs Fund to the extent moneys are
6 available from the Fund. To the extent that the person is
7 reasonably able to pay for that care, including reimbursement
8 from any insurance program or from other medical benefit
9 programs available to the person, he or she shall reimburse the
10 county.

11 The county shall be entitled to a \$10 fee for each
12 conviction or order of supervision for a criminal violation,
13 other than a petty offense or business offense. The fee shall
14 be taxed as costs to be collected from the defendant, if
15 possible, upon conviction or entry of an order of supervision.
16 The fee shall not be considered a part of the fine for purposes
17 of any reduction in the fine.

18 All such fees collected shall be deposited by the county in
19 a fund to be established and known as the County Jail
20 ~~Arrestee's~~ Medical Costs Fund. Moneys in the Fund shall be used
21 solely for reimbursement to the county of costs for medical
22 expenses ~~relating to the arrestee while he or she is in the~~
23 ~~custody of the sheriff~~ and administration of the Fund.

24 For the purposes of this Section, "arresting authority"
25 means a unit of local government, other than a county, which
26 employs peace officers and whose peace officers have made the

1 arrest of a person. For the purposes of this Section,
2 "qualified medical expenses ~~relating to the arrestee~~" include
3 medical and hospital services but do not include ~~means only~~
4 ~~those~~ expenses incurred for medical care or treatment provided
5 to a person ~~an arrestee~~ on account of a self-inflicted ~~an~~
6 injury incurred prior to or in the course of an arrest or
7 ~~suffered by the arrestee during the course of his or her arrest~~
8 ~~unless such injury is self-inflicted; the term does not include~~
9 ~~any expenses~~ incurred for medical care or treatment provided to
10 a person ~~an arrestee~~ on account of a health condition of that
11 person ~~the arrestee~~ which existed prior to the time of his or
12 her arrest.

13 (Source: P.A. 94-494, eff. 8-8-05; 94-962, eff. 1-1-07.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."