

HOUSE BILL 0051

HB0051

AN ACT to amend W.S. 18-6-303 relating to medical care for prisoners in county jail; defining the circumstances under which the county is liable for medical expenses; authorizing the county to collect costs of medical expenses from the prisoner in certain circumstances; and providing for an effective date.

HOUSE BILL 0051

Introduced by:

Louise Ryckman

DATE	ACTION	DATE	ACTION
FEB 16 1986	MOTION TO INTRODUCE	3/11/86	READ THIRD TIME
	PASSED		
	Ayes <u>34</u> / Noes <u>1</u> / Absent <u>2</u> / Present <u>2</u>		
	READ FIRST TIME		
	REFERRED TO COM. NO. <u>6</u>		
	DELIVERED TO COM. NO. <u>6</u>		
FEB 18 1986	RETURNED	MAR 12 1986	RECEIVED AMENDED
	RECOMMENDED BY <u>PAVE</u>		House did concur on Senate Amendments
	<u>2</u> Ayes <u>2</u> / Noes <u>3</u> / Absent <u>2</u>		RECEIVED FROM SENATE
			SENT TO LSO FOR ENROLLING
FEB 26 1986	CONSIDERED IN COM. OF WHOLE		RECEIVED FROM LSO ENROLLED
	RECOMMENDED DO <u>PASS</u>		HEA NO. <u>17</u>
FEB 27 1986	READ SECOND TIME		SIGNED BY SPEAKER <u>3-12-86</u>
FEB 28 1986	READ THIRD TIME		SIGNED BY PRESIDENT <u>3-13-86</u>
	PASSED		APPROVED BY GOVERNOR <u>3-14-86</u>
	Ayes <u>44</u> / Noes <u>3</u> / Absent <u>1</u> / Present <u>2</u>		CHAPTER NO. <u>29</u> SESSION LAWS OF WYOMING
	Sent to Senate		
2/28/86	READ FIRST TIME		
	REFERRED TO COM. NO. <u>4</u>		
	DELIVERED TO COM. NO. <u>4</u>		
3/6/86	STANDING COMM. REPORT		
	DO PASS		
3/7/86	CONSIDERED ON COM. OF WHOLE		
	DO PASS		
3/10/86	READ SECOND TIME		
	AMENDED AS FOLLOWS <u>HR 51521-A</u>		

CONTINUED ON BACK

HB 51 3rd Date 3/11/0
CONSENT

SENATE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			I	
CUNDALL				
DIXON				
DUSL				
EDDINS				
FANOS				
FRISBY			I	
GEIS				
HICKEY			I	
HINCKLEY				
KINNEY				
KINNISON				
LARSON				
MADER				
MOORE			I	
NICHOLAS				✓
NORRIS			I	
PERRY				
PREVEDEL			I	
REESE				✓
SCHMIDT			I	
SCOTT				
STROOCK			I	✓
SULLIVAN				
TROWBRIDGE			I	
TRUE				
TURNER			I	✓
VINICH				
WIEDERSPAHN			I	
ZIMMER				
MR. PRESIDENT			I	

PRESENT	AYES	26
	NOES	4
	EXCUSED	0
	ABSENT	0
	TOTAL	30

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD		✓			MICHEL	✓			
BAKER	✓				MURPHY		✓		
BARLOW	✓				ODDE	✓			
BIRLEFFI	✓				PARKER	✓			
BLACKWELL	✓				PERKINS		✓		
BROWN	✓				RATLIFF	✓			
BUDD	✓				ROBERTSON	✓			
BURNS	✓				RYCKMAN	✓			
BURTON		✓			SALISBURY	✓			
BYRD <i>EX</i>			✓		SANDERS	✓			
CHAMBERLAIN	✓				SCHWOPE	✓			
CROSS	✓				SHREVE	✓			
CROWLEY	✓				SIM				
DICKEY	✓				SIMONS <i>EX</i>			✓	
DOBOS	✓				STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS		✓		
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓				TIPPETS	✓			
HARRISON	✓				TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HOWARD	✓				WALLIS	✓			
HUMPHREY	✓				WEAVER	✓			
JACKSON	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN		✓		
JONES	✓				ZUMBRUNNEN	✓			
KUNZ	✓				MR. SPEAKER		✓		
LAMB	✓				PRESENT				
LUMMIS	✓				AYES	54			
MACMILLAN	✓				NOES	8			
MALDONADO	✓				EXCUSED	2			
MARTON	✓				ABSENT				
MCILVAIN	✓				TOTAL	64			
MEENAN		✓			LESS				

CZ
71351 *Shud Reading* Date *2/28/86*

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	/				MICHEL	/			
BAKER	/				MURPHY	/			
BARLOW	/				ODDE	/			
BIRLEFFI	/				PARKER	/			
BLACKWELL	/				PERKINS	/			
BROWN	/				RATLIFF	/			
BUDD		✓			ROBERTSON	/			
BURNS	/				RYCKMAN	/			
BURTON	/				SALISBURY	/			
BYRD	/				SANDERS	/			
CHAMBERLAIN	/				SCHWOPE	/			
CROSS	/				SHREVE	/			
CROWLEY	/				SIMON	/			
DICKEY	/				SIMONS	/			
DOBOS	/				STAUFFER	/			
GERINGER	/				STRAND	/			
GETTER	/				TATE	/			
GRANT	/				THOMAS	/			
HAGEMAN	/				TIBBS	/			
HANSEN	/				TIPPETS	/			
HARRISON	/				TIPTON	/			
HERBST	/				TYSDAL	/			
HINES	/				WAGGENER	/			
HOWARD	/				WALLIS	/			
HUMPHREY	/				WEAVER	/			
JACKSON	/				WOLFLEY	/			
JENSEN	/				ZIMMERMAN	/		✓	
JONES	/				ZUMBRUNNEN	/			
KUNZ	/				MR. SPEAKER	/			
LAMB	/				PRESENT				
LUMMIS	/								
MACMILLAN	/								
MALDONADO	/								
MARTON	/								
MCILVAIN	/								
MEENAN		✓							

AYES 61
NOES 2
EXCUSED 1
ABSENT _____
TOTAL 64
LESS _____

#911351

Date

3/12/86

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				MICHEL	✓			
BAKER	✓				MURPHY	✓	✓		
BARLOW	✓				ODDE	✓			
BIRLEFFI	✓				PARKER	✓			
BLACKWELL	✓				PERKINS	✓			
BROWN	✓				RATLIFF	✓			
BUDD	✓				ROBERTSON	✓			
BURNS	✓				RYCKMAN	✓			
BURTON	✓				SALISBURY	✓			
BYRD	✓				SANDERS	✓			
CHAMBERLAIN	✓				SCHWOPE	✓			
CROSS	✓				SHREVE	✓			
CROWLEY	✓				SIM				
DICKEY	✓				SIMONS	✓			
DOBOS	✓				STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓				TIPPETS	✓			
HARRISON	✓				TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HOWARD	✓				WALLIS	✓			
HUMPHREY	✓				WEAVER	✓			
JACKSON	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓			
JONES	✓				ZUMBRUNNEN	✓			
KUNZ	✓				MR. SPEAKER	✓			
LAMB	✓				PRESENT _____ AYES <u>62</u> NOES <u>2</u> EXCUSED _____ ABSENT _____ TOTAL <u>64</u> LESS _____				
LUMMIS	✓								
MACMILLAN	✓								
MALDONADO	✓								
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓	✓							

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, February 19, 19..86.

Mr. Speaker:

Your Committee No. 3 on Travel, Recreation and Wildlife

to whom was referred H. No. 001

respectfully reports same back to the House with the recommendation that it DO PASS

AYES

NOES

EXCUSED

Blackwell
Budd
Cade
Salisbury
Schwabe
Simons
Tysdal

Baker
Grant
Staeffer

Reg. Shreve
.....
Reg Shreve

Chairman

171351

HB0051S21/A

Page 4-line 3 Delete "AND"

Page 4-After line 3 insert:

(iv) PRE-CUSTODIAL DENTAL CONDI-
TIONS; AND"

Page 4-line 4 Delete "(iv)" and insert "(v)". -PERRY

C. 71345, 49, 57
 # 43, 79, 90, 95, 95, 119, 124, 125, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200
 71346, 910, 12, 910, 15
 Consent
 Date 8/28/86

HOUSE ROLL CALL

FORTY-EIGHTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				MICHEL	✓			
BAKER	✓				MURPHY	✓			
BARLOW	✓				ODDE	✓			
BIRLEFFI	✓				PARKER	✓			
BLACKWELL	✓				PERKINS	✓			
BROWN	✓				RATLIFF	✓			
BUDD	✓				ROBERTSON	✓			
BURNS	✓				RYCKMAN	✓			
BURTON	✓				SALISBURY	✓			
BYRD	✓				SANDERS	✓			
CHAMBERLAIN	✓				SCHWOPE	✓			
CROSS	✓				SHREVE	✓			
CROWLEY	✓				SID				
DICKEY	✓				SIMONS	✓			
DOBOS	✓				STAUFFER	✓			
GERINGER	✓				STRAND	✓			
GETTER	✓				TATE	✓			
GRANT	✓				THOMAS	✓			
HAGEMAN	✓				TIBBS	✓			
HANSEN	✓				TIPPETS	✓			
HARRISON	✓				TIPTON	✓			
HERBST	✓				TYSDAL	✓			
HINES	✓				WAGGENER	✓			
HOWARD	✓				WALLIS	✓			
HUMPHREY	✓				WEAVER	✓			
JACKSON	✓				WOLFLEY			✓	
JENSEN	✓				ZIMMERMAN	✓			
JONES	✓				ZUMBRUNNEN	✓			
KUNZ	✓				MR. SPEAKER	✓			
LAMB	✓				PRESENT				
LUMMIS	✓								
MACMILLAN	✓								
MALDONADO	✓								
MARTON	✓								
MCILVAIN	✓								
MEENAN	✓								

AYES 63
 NOES
 EXCUSED 1
 ABSENT
 TOTAL 64
 LESS

House of Intro				Second House			
To Com. No. _____				To Com No. _____			
_____	Stand Report	Do _____	Amd _____ Not _____	_____	Stand Report	Do _____	Amd _____ Not _____
_____	Com Whole	Do _____	Amd _____ Not _____	_____	Com Whole	Do _____	Amd _____ Not _____
_____	2nd Reading	Amd _____		_____	2nd Reading	Amd _____	
_____	3rd Reading	Amd _____	Pass _____ Fail _____	_____	3rd Reading	Amd _____	Pass _____ Fail _____

INTRODUCED

1986

STATE OF WYOMING

86LSO-0213.01

HOUSE BILL NO. 0051

Prisoner health care.

Sponsored by: Representative(s) TIPTON and RYCKMAN

A BILL

for

1 AN ACT to amend W.S. 18-6-303 relating to medical care for
 2 prisoners in county jail; defining the circumstances under
 3 which the county is liable for medical expenses; authoriz-
 4 ing the county to collect costs of medical expenses from
 5 the prisoner in certain circumstances; and providing for
 6 an effective date.

7 Be It Enacted by the Legislature of the State of Wyoming:

8 Section 1. W.S. 18-6-303 is amended to read:

9 18-6-303. Care of prisoners; audit of expenses.

1 (a) The sheriff shall provide separate rooms for the
2 sexes except when lawfully married, AND THEN AT THE
3 SHERIFF'S SOLE DISCRETION, and shall supply prisoners with
4 bread,--meat, WHOLESOME FOOD AND drink, bed--clothing,
5 frames and sacks--for-beds BEDDING, sanitary facilities,
6 suitable means for warming the jail,--necessary--medical
7 attendance--and-nursing and such other necessities for the
8 welfare of the prisoners. ~~as-the-grand-jury-may-recommend-~~
9 Expenses thereof shall be audited and settled by the
10 county commissioners as other general county expenses.

11 (b) THE SHERIFF SHALL ARRANGE FOR THE ADMINISTRATION
12 OF MEDICAL CARE REASONABLY REQUIRED BY PRISONERS COMMITTED
13 TO HIS CUSTODY.

14 (c) THE COUNTY COMMISSIONERS SHALL PAY FOR REASON-
15 ABLE AND NECESSARY MEDICAL CARE FOR:

16 (i) INJURIES INCURRED BY A PRISONER:

17 (A) WHILE IN CUSTODY IF THE INJURIES ARE
18 THE PROXIMATE RESULT OF NEGLIGENT OR INTENTIONALLY TOR-
19 TIOUS ACTS COMMITTED BY THE SHERIFF OR A MEMBER OF HIS
20 STAFF;

21 (B) DURING AN ARREST BY THE SHERIFF OR A
22 MEMBER OF HIS STAFF FOR COMMISSION OF A CRIME, PROVIDED

1 THE INJURIES WERE NOT INCURRED WHILE UNLAWFULLY RESISTING
2 ARREST;

3 (C) WHILE ON WORK RELEASE OR WHEN PER-
4 FORMING DUTIES ASSIGNED BY THE SHERIFF OR A MEMBER OF HIS
5 STAFF.

6 (ii) ANY INFECTIOUS, CONTAGIOUS OR COMMUNICA-
7 BLE DISEASE WHICH THE PRISONER CONTRACTS WHILE HE IS IN
8 CUSTODY; OR

9 (iii) MEDICAL EXAMINATIONS REQUIRED BY LAW OR
10 COURT ORDER UNLESS THE ORDER OTHERWISE PROVIDES.

11 (d) A PRISONER SHALL PAY THE COST OF MEDICAL TREAT-
12 MENT FOR:

13 (i) INJURIES INCURRED BY THAT PRISONER:

14 (A) WHILE IN CUSTODY IF THE INJURIES ARE
15 NOT THE PROXIMATE RESULT OF NEGLIGENT OR INTENTIONALLY
16 TORTIOUS ACTS COMMITTED BY THE SHERIFF OR A MEMBER OF HIS
17 STAFF;

18 (B) DURING THE COMMISSION OF A CRIME;
19 AND

20 (C) WHILE UNLAWFULLY RESISTING ARREST OR

1 ATTEMPTING TO AVOID AN ARREST.

2 (ii) SELF-INFLICTED INJURIES;

3 (iii) PRE-CUSTODIAL INJURIES OR ILLNESS; AND

4 (iv) ANY OTHER INJURIES NOT COVERED UNDER
5 SUBSECTION (c) OF THIS SECTION.

6 (e) A HEALTH CARE PROVIDER FURNISHING TREATMENT TO A
7 PRISONER FOR WHICH THE PRISONER IS LIABLE FOR PAYMENT
8 SHALL ATTEMPT TO COLLECT THE COST OF THE TREATMENT FROM
9 THE PRISONER OR HIS INSURANCE CARRIER. IF THE PROVIDER IS
10 UNABLE TO COLLECT THE COST AFTER MAKING REASONABLE EFFORTS
11 TO SECURE COLLECTION, AND THE PROVIDER CERTIFIES BY AFFI-
12 DAVIT TO THE BOARD OF COUNTY COMMISSIONERS THAT IT IS
13 UNABLE TO COLLECT THE COST OF MEDICAL TREATMENT, THE BOARD
14 OF COUNTY COMMISSIONERS, FOLLOWING PAYMENT, MAY INITIATE
15 PROCEEDINGS TO COLLECT FROM THE PRISONER ANY AMOUNTS SO
16 PAID.

17 Section 2. This act is effective June 11, 1986.

18 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>Fiscal Year 19</u>	<u>Fiscal Year 19</u>
_____	_____	_____
_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____

=====

<u>Anticipated COST to:</u>	<u>Fiscal Year 19</u>	<u>Fiscal Year 19</u>
_____	_____	_____
_____	_____	_____
TOTAL ESTIMATED COST	_____	_____

=====

1. No apparent fiscal impact at state level.
2. No apparent state personnel impact.