

## 2-118. FEE FOR MEDICAL SERVICES TO INMATE.

## (A) SCOPE.

THIS SECTION APPLIES TO INMATES IN A STATE CORRECTIONAL FACILITY.

## (B) IN GENERAL.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE SECRETARY SHALL ASSESS A REASONABLE FEE NOT TO EXCEED \$4 FOR EACH VISIT BY AN INMATE TO A MEDICAL UNIT, PHYSICIAN, DENTIST, OR OPTOMETRIST FOR HEALTH CARE SERVICES.

(2) THE SECRETARY MAY NOT ASSESS A FEE FOR HEALTH CARE SERVICES THAT ARE:

- (I) REQUIRED AS A PART OF THE INTAKE PROCESS;
- (II) REQUIRED FOR AN INITIAL PHYSICAL EXAMINATION;
- (III) DUE TO A REFERRAL BY A NURSE OR PHYSICIAN'S ASSISTANT;
- (IV) PROVIDED DURING A FOLLOW-UP VISIT THAT IS INITIATED BY A MEDICAL PROFESSIONAL FROM THE CORRECTIONAL FACILITY;
- (V) REQUIRED FOR NECESSARY TREATMENT; OR
- (VI) INITIATED BY A MEDICAL OR MENTAL HEALTH STAFF MEMBER OF THE CORRECTIONAL FACILITY.

## (C) REGULATIONS.

THE SECRETARY SHALL ADOPT REGULATIONS TO IMPLEMENT AND COLLECT THE FEES REQUIRED BY THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-104(i).

In subsection (a) of this section, the reference to "inmates" is substituted for the former reference to "prisoners" to conform to the nomenclature used by the Department and for consistency throughout this article. Correspondingly, the reference to an "inmate" is substituted for the former reference to a "prisoner" in subsection (b)(1) of this section.

The former reference to inmates "housed" in a State correctional facility is deleted as implicit in the reference to inmates in a State correctional facility.

In subsection (b)(2)(iv) of this section, the reference to services "provided during a follow-up visit that is initiated by" a medical professional is substituted for the former reference to services "[i]nitiating, as a follow-up visit, by" a medical professional to state expressly that which was only implied in the former law, *i.e.*, that the follow-up visit is recommended by a medical professional, not the inmate.