

1.4.E.10 Medical Co-Payment Fees

I Policy Index:



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Replaces Policy: 4E.18
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Office of Primary Responsibility: DOC Administration

II Policy:

Inmates in the custody of the Department of Corrections (DOC) may be charged for medical services. Medically necessary health care will not be refused to any inmate due to a lack of available funds or an inmate's inability to pay for the service (ACA #4-4345).

III Definitions:

Work Release Program:

A program that allows qualifying and approved inmates access to the community to seek employment and to be competitively employed in the community, pursuant to SDCL § 24-8-1.

Community Transition Program (CTP):

A program under the control of the DOC designed to assist offenders with successful transition to community supervision.

Co-Payment:

Payments made toward one bill from more than one party.

Emergency:

Conditions that require immediate attention or treatment to prevent permanent injury or loss of function (See P-C-06 *Inmate Medical Co-Pay*).

Nurse Sick Call:

A system through which an inmate may report for and receive appropriate medical services for non-emergency illness or injury (See DOH policy P-C-06 *Inmate Medical Co-Pay*).

Medical Services:

Medical, dental, optometry treatment, lab, x-ray, medications or other related services.

Community Transition Program Phase 1 Restricted:

Offenders placed on this status are limited to employment on the facility grounds and cannot be assigned to community service or disaster deployment crews.

Community Transition Program Phase 2:

Offenders placed on this status are eligible to work off the facility grounds in community employment, community service or as part of a disaster deployment crew or attend programming in the community.

IV Procedures:**1. Co-Pay Fees for Inmates:**

- A. All new admission inmates will be provided information regarding medical co-payments requirements while in the Admission and Orientation (A&O) unit (ACA #4-4345).
- B. Inmates not assigned to the work release program and offenders placed in Community Transition Program (CTP) Phase 1, may be charged/billed the following co-payment fees for medical services received (See DOH policy P-C-06B *Inmate Medical Co-Pay*).
 - 1. Nurse sick call initiated by the inmate - \$2.00
 - 2. Non-scheduled care by health services staff - \$2.00
 - 3. Inspection of medical records - \$2.00
 - 4. Care provided for self-harm - \$2.00
 - 5. Any other health care service initiated by the inmate - \$2.00
 - 6. Dentist or hygienist - \$5.00
 - 7. Optometrist - \$5.00
 - 8. Repair or replacement of medical or dental adaptive devices (eyeglasses, hearing aids, cochlear processors, or other such devices, dentures, prosthetic devices, etc.) - \$5.00
- C. Inmates not assigned to the work release program and offenders placed in CTP Phase 1, will not be charged/billed for the following medical services:
 - 1. Scheduled follow-up appointments, as required by medical, dental or optometry staff;
 - 2. Medical emergencies (as listed in definitions section);
 - 3. Exams initiated as the result of an assault; i.e. inmate on inmate assault;
 - 4. Mental health services;
 - 5. Admission physical screening or admission dental screening;
 - 6. Half-way house requirements;
 - 7. Work release injuries that are an emergency;
 - 8. Outside referrals;
 - 9. Prescriptions;

10. Replacement batteries for hearing aids and cochlear processors;
11. Chronic Care Clinic;
12. Infirmary care;
13. PREA related services, examinations or medications (no inmate or CTP offender will be charged for PREA related medical services); and
14. Appointments/services initiated by Health Service staff (ACA #4-4345).

2. Co-pay Fees For Work Release Inmates and CTP Phase 2 Offenders:

- A. Inmates assigned to work release and CTP Phase 2 offenders are financially responsible for expenses incurred through receipt of medical services (See DOC policies 1.5.A.5 [Work Release](#) and 1.5.G.2 [Community Transition Program](#) and DOH policies P-C-06A [Medical Expenses/Care - Work Release](#) and P-C-06C [Health Care for Community Transition Program](#)).
- B. The following co-payment fees will be applied to the inmate/offender's account (fee is for each visit):
 1. Sick call - \$2.00
 2. Appointment with a physician, physician assistant, certified nurse practitioner, dentist, hygienist, or optometrist, (includes chronic care) - \$10.00
 3. X-ray- \$20.00
 4. Prescription medication - cost of medication, up to \$30 co-pay
 5. Laboratory service - \$20.00
 6. Outside referrals - \$40
 7. Emergent care - \$50
 8. Medical or dental adaptive devices (eyeglasses, hearing aids, cochlear processors, or other such devices, dentures, prosthetic devices, etc.) May be charged a co-pay fee for repair, or replacement of such devices, not to exceed \$40.
- C. Work release inmates and CTP Phase 2 offenders must obtain health and/or dental (medical) insurance through their employer, if such insurance is offered. If the inmate/offender has medical insurance through their employer, the insurance provider will be billed first for all medical services received by inmate. The inmate/offender is responsible for their deductible, co-insurance and non-covered services.
- D. Inmates placed on work release will sign the [Medical Expense for Work Release Inmates](#) form (See [Attachment 1](#)) acknowledging their financial obligation for medical services received (also See DOC policy 1.5.A.5 [Work Release](#)).
- E. If an inmate/offender sustains a work-related injury or requires medical services while at their community job, the inmate must contact his/her employer and report the injury and/or any medical services received.
 1. The inmate/offender and their respective employer(s) are responsible for filing Worker's Compensation claims.

2. The inmate/offender is responsible for any medical fees resulting from an injury/illness that occurred that is not covered by Worker's Compensation.
 3. Inmates/offenders who receive health care through the DOC/DOH Health Services staff are required to notify DOC health service staff of any outside medical care received.
- F. Work Release inmates housed in a county jail or contract facility will access medical care as determined by the jail administrator, contract administrator or as instructed by DOC staff. Inmates are financially responsible for all fees/charges generated through receipt of medical services while housed in the county jail or contract facility.
- G. CTP Phase 2 offenders requiring off-site services/appointments may be referred to one of the following contracted hospitals or clinics by DOH staff (See DOH policy P-C-06C [Health Care for Community Transition Program](#)):
1. Avera McKennan Hospital and Avera McGreevy Clinics in Sioux Falls
 2. Regional Health Physicians in Rapid City
 3. Avera St. Mary's in Pierre
 4. Avera Queen of Peace in Mitchell
 5. Avera Sacred Heart in Yankton

3. Medical Co-Payment Billing:

- A. The fees for medical services provided or scheduled by DOH Health Services will be documented by Health Service staff (usually on a [Documentation of Health Care Services](#) form, or on a DOH generated spread sheet or commissary slip) and turned in to the respective DOC business office at the end of the shift. The corresponding charge/fee will be applied to the inmate's spend subaccount or work release account by business office staff.
- B. If the inmate's/offender's account(s) do not contain sufficient funds to cover the charge, a credit obligation will be created (See DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#)). Inmates/offenders are liable for unpaid medical fees (See SDCL § [24-2-29](#)). Unpaid fees will be applied to costs incurred while in custody of the DOC and may only be waived by the Secretary of Corrections (See SDCL § [24-2-28](#)).
- C. If an inmate/offender fails to attend a scheduled appointment with DOH Health Services and does not provide notice to Health Service staff at least 24-hours in advance of the time and date of the set appointment, the inmate may be charged/billed the corresponding fee (Section 1 B. 1-7) for the missed appointment.
- D. Inmates/offenders who disagree with fees/charges assessed by Health Service staff for medical services received may utilize the Administrative Remedy procedure (See DOC policy 1.3.E.2 [Administrative Remedy for Inmates](#) and DOH P-A-11 [Grievance Mechanism for Health Complaints](#)).

V Related Directives:

SDCL §§ [24-8-1](#), [24-2-28](#) and [24-2-29](#).

DOC policy 1.1.B.2 – [Inmate Accounts and Financial Responsibility](#)

DOC policy 1.3.E.2 – [Administrative Remedy for Inmates](#)

DOC policy 1.5.A.5 – [Work Release](#)
DOC policy 1.5.G.2 – [Community Transition Program](#)
DOH policy P-C-06A – [Medical Expenses/Care Work Release](#)
DOH policy P-C-06B – [Inmate Medical Co-Pay](#)
DOH policy P-C-06C -- [Health Care for Community Transition Program](#)
DOH policy P-A-11 – [Grievance Mechanism for Health Complaints](#)

VI Revision Log:

December 2002: Raised amount of co-pay from \$2 to \$5

June 2003: Added number 9 to services that do not require co-payments. Added reference to policies 1.1.B.2. and 1.3.E.2. Combined sections on Administrative Remedy and funds collected.

February 2004: Revised the policy statement. Added a section on Workman's Compensation claims for Work Release inmates. Added a reference to the Work Release Policy. Added a separate list of services charged to Work Release inmates. Revised for former sections on Billing for Co-Payments, Inmate Institutional Account and Other Co-Payment Guidelines into a new section entitled Billing and Payment for Health Care Services. Added reference to DOH policies PA 01, PC 06A and PC 06B.

October 2004: Added requirement that co-pay is required when inmates view medical/mental health records. Deleted references to the Documentation of Health Care Services form and the related attachment. Revised attachment 1.

September 2005: Updated references to DOH policies. Added a reference to the Community Transition Program. Replaced infirmary care with chronic care. Deleted medical co-pay for work release inmates for the psychiatrist. Added medical co-pay for X-ray on work release inmates. Clarified how money collected from the medical co-payments will be used by the DOC.

December 2006: Revised the procedures for work release inmates making payments on their medical obligations. Revised attachment 1. Added exams initiated as a result of an assault to services that are not charged a medical co-pay.

October 2007: Added "other written documentation" for those DOH employees who do not use a commissary slip to track the inmate medical co-pay.

September 2008: Revised formatting of policy and attachment in accordance with DOC policy 1.1.A.2. Added DOC policy in section V. Replaced "commissary spending" to "spend" account throughout policy. Revised other grammatical and wording throughout policy.

September 2009: Added DOH policy P-C-06C within ss (A) and replaced \$15 with \$10 in ss (B) both within Services and Fees for Work Release Inmates Housed at a DOC Facility. Added P-C-06C to section V. Added hyperlinks.

September 2010: Revised formatting of Section 1. Deleted statement regarding inmates not having funds in their institutional account within Policy statement. Replaced "Workman's" with "Worker's Compensation. Revised \$5 to \$2 in ss (B1 and B4) and revised Note to include assessments and care for self-harm and deleted mental health within the same Note, revised wording within ss (C1), revised numbering within ss (C) through combining, deleted former ss (C7 and C8) regarding chronic care and sick call visits for food service workers and revised former ss (C10) referencing 24 hours from injury to reference injuries that are an emergency all within (Services and Fees For Non-Work Release Inmates). Revised \$5 to \$2 in ss (B1) regarding sick call, revised \$10 to \$20 in ss (B5) regarding x-rays, revised full cost of lab work to \$20 in ss (B7) and replaced forward with forfeit in ss (D) all within (Services and Fees For Work Release Inmates Housed at a DOC Facility. Deleted reference to doctor within ss (A1e), replaced employer with workers compensation or insurance in ss (B) and deleted reference of DHS from ss (B1) all within (Billing and Payment for Health Care Services). Revised co-pays to be consistent with policy, replaced forward with forfeit regarding inmate funds and replaced "workman's" with "worker's" compensation all within Attachment 1.

October 2011: Added "off-site facilities or providers" to Policy section. Added Definition of "Work Release" and "Emergency" and "Emergency Care". Added "/billed" to Section 1 B. Added "initiated by the inmate" to Section 1 B. 1. Added "non-scheduled care" "and care provided when medical staff determine an inmate's medical emergency was not an emergency") to the "Note" in Section 1. B. 4. Added "/billed" to Section 1 C. Deleted "screenings" and Replaced with "services" in Section 1 C. 4. Added "as determined by medical staff" to Section 1 C. 7. Added 10. "Chronic Care Clinic, except for Work Release Inmates" to Section 1 C. 10.

Added 11. "Infirmity care" to Section 1 C. **Added** (service fee is for each visit) to Section 2. B. **Added** 9. to Section 2 B. **Added** "and/" to Section 2 C. 2. **Deleted** "or requires health care services" from Section 2 C. 3. **Added** "an on-going medical obligation or a medical obligation as a result of an acute (not on-going) issue, and "apply" and "This process will typically occur one time" to Section 2 D. **Added** 1. to Section 2 D. **Deleted** "The" and **Replaced** with "After the one time occurrence of sweeping the aforementioned accounts" and **Deleted** "must also agree in writing to submit a minimum payment of twenty (\$20.00) dollars every month towards the residual amount" and **Replaced** with "will make a minimum of twenty (\$20.00) dollars per month payment towards the obligation. The remaining amount will be added to the inmate's IFR as cost incurred" to Section 2 d. 2. **Added** "nursing" "non-scheduled care by health services staff, review of medical records, care provided for self-harm" "/hygienist" **Deleted** "eye doctor" and **Replaced** with "optometrist, any health care service initiated by the inmate" to Section 3. A. e. **Deleted** "filled out" and **Replaced** with "completed" in Section 3. A. 2. **Added** "(or note by staff stating the inmate refused to sign) in Section B. 1. A. **October 2012:** **Added** "while at their community job or during the performance of their job duties" and **Deleted** "immediately so the employer can assist in the payment of the related claims" and **Replaced** with "regarding the injury and/or health care service received" in Section 2 B. 3. **Added** 4. and 5. to Section 2 C. **Deleted** "Once the" and **Replaced** with "When a health care service" and **Added** "documenting the service provided is required" in Section 3 A. **Deleted** "by health services the end of the health service staff person's shift and will be" and **Replaced** with "by Department of Health staff no later than the next working day following when the service was provided to the inmate/offender" in Section 3 A. 2. **Added** "and/or written documentation" in Section 3 B. 1. a. **Deleted** b. "After the written documentation has been completed, it will be forwarded to the appropriate business office for processing" in Section 3 B. 1. **February 2013:** **Added** "Fees and Billing for Health Care Services to title of policy. **Deleted** definition of "Inmate Institutional Account", "Health Services Nurse" and "Sick Call" **Added** "The charge will be billed through medical services and automatically deducted or a commissary slip must be completed by the inmate with the same procedure required of non-work release inmates outlined in Section 3 A. 1. If the inmate does not have funds in his/her work release expense account, a credit obligation will be applied to the inmate's account" to Section 2 A. **Added** "or have the inmate complete a commissary slip. Commissary slips will be submitted to the business office on a daily basis. If an encounter is entered by medical, it will automatically deduct the corresponding value of the encounter per sections 1. B. or 2. B. above. If the offender does not have funds in his/her spend account, a credit obligation will be applied to the offender's account" in Section 3 A. **Deleted** "a commissary slip or other written documentation documenting the service provided is required" and **Deleted** c. "The funds collected from the medical co-payments will be deposited into a local endowment fund and used to buy medical equipment and to pay other expenses related to the care of inmates" all in Section 3. A. 2. **Deleted** a. "After being signed by the inmate (or noted by staff stated the inmate refused to sign), the commissary slip and/or written documentation will be forwarded to the appropriate business office for processing" in Section 3 B. **Deleted** "run his/her balance into the negative" and **Replaced** with "cause his/her balance to show a credit obligation" in Section 3 B. 2. b. **Added** "provided they are not covered by encounters entered by DOH staff" in Section 3 C. **Added** E. to Section 3. **September 2014:** **Added** definition of "Medical Services". **Deleted** "of an adult facility" and **Added** "due to a lack of available funds or an inmate's inability to pay for the service" to the policy statement. **Added** "access to the community to seek employment" to definition of "Work Release". **Deleted** "Uncontrolled bleeding, the need for CPR or ambulance to be called" and **Replaced** with "Conditions that require immediate attention or treatment to prevent permanent injury or loss of function" to definition of "Emergency". **Deleted** definition of "Emergency Care". **Added** definition of "Sick Call". **Deleted** "Non-Work Release" from Section 1. **Added** "All new admission inmates will be advised at the time of admission to a DOC facility of the guidelines of medical co-payments" in Section 1 A. **Added** 2-5 in Section 1 B. **Added** "employed as part of the work release program" and "appointments or services initiated by medical staff including" in Section 1 C. **Deleted** "sexual assault" in Section 1 C. 3. **Added** CTP offenders to Section 2. **Deleted** "full" and **Replaced** with "up to \$30 co-pay" in Section 2 B. 6. **Deleted** "Full cost of service set by the provider" and **Replaced** with "\$40" in Section 2 B. 8. **Added** 9-10 in Section 2 B. **Added** "Outside referrals and specialists will need to be approved by the Medical Director through the utilization management system" in Section 2 C.5. **Deleted** D. 1. and 2. in Section 2. **Added** 8. to Section 2 D. **Added** J. to Section 2. **Deleted** Section 3 and **Replaced** with new Section 3. **September 2015:** **Deleted** "MCC" from Section 2 F. **Added** 2 to Section 2 E. **Deleted** "will" and **Replaced** with "may" in Section 3 C.

September 2016: Added 8. to Section 1 B. Added 10. to Section 1 C. Added "hearing aids, cochlear processors, or other such devices and Added "repaired" and Deleted "as determined by Health Services staff" and Replaced with "not to exceed \$40) in Section 2 B. 8.

Denny Kaemingk (original signature on file)

10/14/2016

Denny Kaemingk, Secretary of Corrections

Date

Attachment 1: Medical Expenses for Work Release Inmates

The **Medical Expenses for Work Release Inmates** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Medical Expenses for Work Release Inmates** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Medical Expenses for Work Release Inmates**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Medical Expenses for Work Release Inmates Please refer to DOC policy 1.4.E.10 Inmate Medical Co-Pay
MEDICAL EXPENSES FOR WORK RELEASE INMATES	
Dear Work Release Inmate:	
This letter is intended to explain the South Dakota Department of Health policy for inmates classified with a "Work Release" status who are currently working and incur medical, dental, optometry, x-ray, medications or other related expenses while incarcerated.	
It is the policy of the South Dakota Department of Corrections and in cooperation with the South Dakota Department of Health Correctional Health Services that work release inmates are responsible for the payment of all expenses that may incur for medical, dental or optometry treatment.	
Work Release Inmates housed at a minimum custody unit will need to access health care through the Correctional Health Services kite system. The cost for medical co-payment is as follows:	
Nurse Sick Call:	\$2.00
Physician or PA:	\$10.00 * Includes Chronic Care Clinic
Dentist or Hygienist:	\$10.00
Optometrist:	\$10.00
X-ray:	\$20.00
Prescription Medication:	Full cost of medication set by local pharmacy
Laboratory Service:	\$20.00
Outside Referrals:	Full cost of service set by the facility (Prior Approval required)
If you are not able to pay a medical obligation in full, you will be required to forfeit all funds in your commissary, savings and work release accounts, as well as any amount over \$500 in your frozen account towards the medical obligation. Any residual amount from the medical obligation will be listed as an obligation on your inmate account. You must also agree in writing to submit a minimum payment of \$20 every month towards the residual amount.	
Worker's Compensation Injuries will be the responsibility of the inmate and the employer. You may have health or dental insurance through your employer who can assist you in payment of these expenses. If you sustain an injury while on work release, contact your employer immediately. Worker's Compensation should be responsible for work-related injuries and the expenses incurred.	
Please sign below acknowledging that you have been advised of this policy and understand it.	
The undersigned has read and understands the above stated policy:	
Inmate Name: <input type="text"/>	Inmate Number: <input type="text"/>
Inmate Signature: <input type="text"/>	Date: <input type="text"/>
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