



State of Wisconsin
2011 – 2012 LEGISLATURE



LRBa1033/1
PJH:jld:jf

**ASSEMBLY AMENDMENT 2,
TO 2011 SENATE BILL 57**

May 17, 2011 – Offered by Representative RADCLIFFE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 19, line 21: after that line insert:

3 “**SECTION 49d.** 302.38 (1) of the statutes is amended to read:

4 302.38 **(1)** If a prisoner needs medical or hospital care or is intoxicated or

5 incapacitated by alcohol the sheriff, superintendent, or other keeper of the jail or

6 house of correction shall provide appropriate care or treatment and may transfer the

7 prisoner to a hospital or to an approved treatment facility under s. 51.45 (2) (b) and

8 (c), making provision for the security of the prisoner. The sheriff, superintendent,

9 or other keeper may provide appropriate care or treatment under this subsection for

10 a prisoner under 18 years of age and may transfer a prisoner under 18 years of age

11 under this subsection without obtaining the consent of the prisoner’s parent,

12 guardian, or legal custodian. The sheriff, superintendent, or other keeper shall

13 charge a prisoner for the costs of providing any medical care or treatment that is a

1 prescription drug or device while the prisoner is in the jail or house of correction, and
2 the amount charged shall be an amount equivalent to the amount the department
3 charges a prisoner under s. 302.386 (4) for the same prescription drug or device. The
4 sheriff, superintendent, or other keeper may charge a prisoner for the costs of
5 providing medical care other than medical care that is a prescription drug or device
6 to the prisoner while he or she is in the jail or house of correction. If the sheriff or
7 other keeper maintains a personal money account for an inmate's use for payment
8 for items from canteen, vending, or similar services, the sheriff or other keeper may
9 make deductions from the account to pay for the charges under this subsection.

10 **SECTION 49h.** 302.386 (3) (b) of the statutes is renumbered 302.386 (3) (b) 2.
11 and amended to read:

12 302.386 (3) (b) 2. If the resident under par. (a) requests the medical services
13 or dental services, the department shall require the resident to pay the deductible,
14 coinsurance, copayment, or similar charge. The department may not charge the
15 person less than \$2.50 for each request. The requirements under this ~~paragraph~~
16 subdivision are subject to the exception and waiver provisions under par. (c).

17 **SECTION 49p.** 302.386 (3) (b) 1. of the statutes is created to read:

18 302.386 (3) (b) 1. If any medical or dental services the resident under par. (a)
19 receives is a prescription drug or device, the department shall require the resident
20 to pay a deductible, coinsurance, copayment, or similar charge, as determined under
21 sub. (4) (a), on the prescription drug or device. The requirements under this
22 subdivision are subject to the exception and waiver provisions under par. (c).

23 **SECTION 49t.** 302.386 (4) (a) of the statutes is amended to read:

