

FIRST REGULAR SESSION

# HOUSE BILL NO. 692

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES VIEBROCK, WHORTON, DIXON, SANDER,  
EMERY (Co-sponsors), DUSENBERG, WILSON (119) AND SCHNEIDER.

Read 1<sup>st</sup> time March 19, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1586L.011

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### AN ACT

To repeal section 217.230, RSMo, and to enact in lieu thereof one new section relating to offender health care.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 217.230, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.230, to read as follows:

217.230. **1.** The director shall arrange for necessary health care services for offenders confined in correctional centers. **If any prisoner is sick and in the judgment of the director, requires the attention of a physician, dental care, or medicine, the director shall procure the necessary medicine, dental care, or medical attention necessary or proper to maintain the health of the prisoner. The costs of such medicine, dental care, or medical attention shall be paid by the prisoner through any health insurance policy as defined in subsection 2 of this section, from which the prisoner is eligible to receive benefits. If the prisoner is not eligible for such health insurance benefits then the prisoner shall be liable for the payment of such medical attention, dental care, or medicine, and the assets of such prisoner may be subject to levy and execution under court order to satisfy such expenses, and any other applicable law. As used in this section, the term "medical costs" includes the actual costs of medicine, dental care, or other medical attention and necessary costs associated with such medical care such as transportation, guards, and inpatient care.**

**2.** As used in this section the following terms mean:

**(1) "Assets", property, tangible or intangible, real or personal, belonging to or due a prisoner or a former prisoner, including income or payments to such prisoner from Social Security, workers' compensation, veterans' compensation, pension benefits, previously earned salary or wages, bonuses, annuities, retirement benefits, compensation**

19 **paid to the prisoner per work or services performed while a prisoner or from any other**  
20 **source whatsoever, including any of the following:**

21 **(a) Money or other tangible assets received by the prisoner as a result of a**  
22 **settlement of a claim against the state, any agency thereof, or any claim against an**  
23 **employee or independent contractor arising from and in the scope of the employee's or**  
24 **contractor's official duties on behalf of the state or any agency thereof;**

25 **(b) A money judgment received by the prisoner from the state as a result of a civil**  
26 **action in which the state, an agency thereof or any state employee or independent**  
27 **contractor where such judgment arose from a claim arising from the conduct of official**  
28 **duties on behalf of the state by the employee or subcontractor or for any agency of this**  
29 **state;**

30 **(c) A current stream of income from any source whatsoever, including a salary,**  
31 **wages, disability benefits, retirement benefits, pension benefits, insurance or annuity**  
32 **benefits, or similar payments; and**

33 **(2) "Health insurance policy", any group insurance policy providing coverage on**  
34 **an expense-incurred basis, any group service or indemnity contract issued by a not-for-**  
35 **profit health services corporation or any self-insured group health benefit plan of any type**  
36 **or description.**