

By Senator Yarborough

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A bill to be entitled
An act relating to inmate services; amending s.
945.215, F.S.; requiring that funds from the
Contractor-Operated Institutions Inmate Welfare Trust
Fund be used exclusively for specified provisions;
amending s. 945.6041, F.S.; providing legislative
intent; revising the term "health care provider" to
"community health care provider" and revising its
definition; providing definitions; revising
compensation for the provision of inmate medical
services by certain providers; providing an exemption;
requiring a Medicaid health care provider to provide
inmate patients with reasonable access to adequate
medical services; revising compensation for the
provision of inmate emergency medical transportation
services; reenacting s. 944.72(1), F.S., relating to
the Contractor-Operated Institutions Inmate Welfare
Trust Fund, to incorporate the amendment made to s.
945.215, F.S., in a reference thereto; providing
effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (3) of section
945.215, Florida Statutes, is amended to read:

945.215 Inmate welfare and employee benefit trust funds.—

(3) CONTRACTOR-OPERATED INSTITUTIONS INMATE WELFARE TRUST
FUND; CONTRACTOR-OPERATED CORRECTIONAL FACILITIES.—

(b)1. The net proceeds derived from inmate canteens,

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vending machines used primarily by inmates, telephone commissions, and similar sources at contractor-operated correctional facilities shall be deposited in the Contractor-Operated Institutions Inmate Welfare Trust Fund.

2. Funds in the Contractor-Operated Institutions Inmate Welfare Trust Fund must be used exclusively to provide for or operate any of the following at contractor-operated correctional facilities:

a. Programs to aid inmates' reintegration into society.

b. Environmental health upgrades to facilities, including fixed capital outlay for repairs and maintenance that would improve environmental conditions of the correctional facilities.

3.2- Funds in the Contractor-Operated Institutions Inmate Welfare Trust Fund shall be expended only pursuant to legislative appropriation.

Section 2. Effective October 1, 2026, section 945.6041, Florida Statutes, is amended to read:

945.6041 Compensation for inmate emergency and specialty medical services.-

(1) The department relies on community health care providers to provide emergency and specialty medical services to incarcerated inmates which cannot be provided by health care staff inside a state correctional institution. The department has experienced a substantial increase in inmate health care costs. Accordingly, it is the intent of the Legislature that inmates committed to the custody of the department have adequate access to emergency or other necessary specialty medical services at rates that are cost-effective for the state.

(2)-(1) As used in this section, the term:

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59 (b)~~(a)~~ "Emergency medical transportation services"
60 includes, but is not limited to, services rendered by
61 ambulances, emergency medical services vehicles, and air
62 ambulances as those terms are defined in s. 401.23.

63 (a)~~(b)~~ "Community health care provider" means:

- 64 1. A hospital licensed under chapter 395.
65 2. A physician or physician assistant licensed under
66 chapter 458.
67 3. An osteopathic physician or physician assistant licensed
68 under chapter 459.
69 4. A podiatric physician licensed under chapter 461.
70 5. An autonomous advanced practice registered nurse
71 licensed under chapter 464.

72 6.5~~7~~. A health maintenance organization certificated under
73 part I of chapter 641.

74 7.6~~8~~. An ambulatory surgical center licensed under chapter
75 395.

76 8.7~~9~~. A professional association, partnership, corporation,
77 joint venture, or other association established by the
78 individuals set forth in subparagraphs 2., 3., and 4. for
79 professional activity.

80 9.8~~10~~. An other medical facility.

81 a. As used in this subparagraph, the term "other medical
82 facility" means:

83 (I) A facility the primary purpose of which is to provide
84 human medical diagnostic services, or a facility providing
85 nonsurgical human medical treatment which discharges patients on
86 the same working day that the patients are admitted; and

87 (II) A facility that is not part of a hospital.

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b. The term does not include a facility existing for the primary purpose of performing terminations of pregnancy, or an office maintained by a physician or dentist for the practice of medicine.

(c) "Inmate medical services" includes, but is not limited to, services rendered by a community health care provider to an inmate.

(d) "Medicaid allowable rate" means the amount that the Agency for Health Care Administration would reimburse a Medicaid provider, as defined by s. 409.901, for Medicaid-covered services delivered through the fee-for-service program.

(e) "Secure unit" means a designated space, approved by the department, where the department can safely and efficiently manage and secure inmates who are receiving medical services from a community health care provider.

(3)(2) Compensation to a community health care provider for the provision of to provide inmate medical services may not exceed 110 percent of the Medicaid Medicare allowable rate if the health care provider does not have a contract to provide services with the department or the contractor-operated correctional facility, as defined in s. 944.710, which houses the inmate. However, a community health care provider is exempt from this section and may negotiate compensation above the Medicaid allowable rate if the community health care provider enters into an agreement with the department, a comprehensive health care services vendor, or a contractor-operated correctional facility, as defined in s. 944.710, to provide medical services to inmates in a secure unit within the community health care provider's medical facility, within a

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117 correctional institution or facility, or by telehealth in
118 accordance with s. 456.47 if such inmates are within the
119 correctional institution or facility when they receive such
120 medical services.

121 (4) In addition to the Medicaid provider agreement
122 requirements established in s. 409.907 to participate in a
123 Medicaid supplemental funding program and to remain in good
124 standing with the Medicaid program, a Medicaid community health
125 care provider shall provide inmate patients with reasonable
126 access to adequate medical services, including emergency and
127 specialty care services. ~~compensation to a health care provider~~

128 ~~may not exceed 125 percent of the Medicare allowable rate if:~~

129 ~~(a) The health care provider does not have a contract to~~
130 ~~provide services with the department or the contractor-operated~~
131 ~~correctional facility, as defined in s. 944.710, which houses~~
132 ~~the inmate; and~~

133 ~~(b) The health care provider reported a negative operating~~
134 ~~margin for the previous year to the Agency for Health Care~~
135 ~~Administration through hospital-audited financial data.~~

136 (5)~~(3)~~ Compensation to an entity to provide emergency
137 medical transportation services for inmates may not exceed 110
138 percent of the Medicaid Medicare allowable rate if the entity
139 does not have a contract with the department or a contractor-
140 operated correctional facility, as defined in s. 944.710, to
141 provide the services.

142 (6)~~(4)~~ This section does not apply to charges for medical
143 services provided at a hospital operated by the department.

144 Section 3. For the purpose of incorporating the amendment
145 made by this act to section 945.215, Florida Statutes, in a

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reference thereto, subsection (1) of section 944.72, Florida Statutes, is reenacted to read:

944.72 Contractor-Operated Institutions Inmate Welfare Trust Fund.—

(1) There is hereby created in the Department of Corrections the Contractor-Operated Institutions Inmate Welfare Trust Fund. The purpose of the trust fund shall be the benefit and welfare of inmates incarcerated in contractor-operated correctional facilities under contract with the department pursuant to this chapter or chapter 957. Moneys shall be deposited in the trust fund and expenditures made from the trust fund as provided in s. 945.215.

Section 4. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2026.