

1                   A bill to be entitled  
2       An act relating to inmate services; amending s.  
3       945.215, F.S.; requiring maintenance and repair  
4       deduction fees from contractor-operated correctional  
5       facilities to be deposited in the Contractor-Operated  
6       Institutions Inmate Welfare Trust Fund; requiring  
7       funds from the Contractor-Operated Institutions Inmate  
8       Welfare Trust Fund to be used for specified purposes;  
9       amending s. 945.6041, F.S.; providing legislative  
10      findings; providing and revising definitions; revising  
11      compensation for the provision of inmate medical  
12      services by certain providers; providing an exemption;  
13      prohibiting compensation to a hospital for the  
14      provision of emergency medical services and care  
15      provided to inmates from exceeding a certain  
16      percentage of the Medicare allowable rate; reenacting  
17      s. 944.72(1), F.S., relating to the Contractor-  
18      Operated Institutions Inmate Welfare Trust Fund, to  
19      incorporate the amendment made to s. 945.215, F.S., in  
20      a reference thereto; providing effective dates.

21  
22   Be It Enacted by the Legislature of the State of Florida:

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24       **Section 1. Paragraph (b) of subsection (3) of section**  
25      **945.215, Florida Statutes, is amended to read:**

26 945.215 Inmate welfare and employee benefit trust funds.—  
27 (3) CONTRACTOR-OPERATED INSTITUTIONS INMATE WELFARE TRUST  
28 FUND; CONTRACTOR-OPERATED CORRECTIONAL FACILITIES.—

29 (b)1. The net proceeds derived from inmate canteens,  
30 vending machines used primarily by inmates, telephone  
31 commissions, and similar sources at contractor-operated  
32 correctional facilities shall be deposited in the Contractor-  
33 Operated Institutions Inmate Welfare Trust Fund.

34 2. Maintenance and repair deduction fees from contractor-  
35 operated correctional facilities shall be deposited in the  
36 Contractor-Operated Institutions Inmate Welfare Trust Fund.

37 3. Funds in the Contractor-Operated Institutions Inmate  
38 Welfare Trust Fund shall be used exclusively to provide for or  
39 operate any of the following at contractor-operated correctional  
40 facilities:

41 a. Programs to aid inmates' reintegration into society.

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

45 ~~4.2.~~ Funds in the Contractor-Operated Institutions Inmate  
46 Welfare Trust Fund shall be expended only pursuant to  
47 legislative appropriation.

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

50 945.6041 Compensation for inmate emergency and specialty

51 medical services.—

52 (1) The Legislature finds that the department relies on  
53 community health care providers to provide emergency and  
54 specialty medical services to incarcerated inmates which cannot  
55 be provided by health care staff inside a state correctional  
56 institution. The Legislature further finds that the department  
57 has experienced a substantial increase in inmate health care  
58 costs.

59 (2)~~(1)~~ As used in this section, the term:

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

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

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

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

75 ~~7.6.~~ An ambulatory surgical center licensed under chapter

76 395.

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

81 ~~9.8.~~ An other medical facility.

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

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

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

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

93 (b) "Emergency medical condition" has the same meaning as  
94 in s. 395.002(8).

95 (c) "Emergency medical services and care" means medical  
96 screening, examination, and evaluation by a physician, or, to  
97 the extent permitted by applicable law, by other appropriate  
98 personnel under the supervision of a physician, to determine  
99 whether an emergency medical condition exists and, if so, the  
100 care, treatment, or surgery by a physician necessary to relieve

101 or eliminate the emergency medical condition, within the service  
102 capability of the facility.

103 (d) "Emergency medical transportation services" includes,  
104 but is not limited to, services rendered by ambulances,  
105 emergency medical services vehicles, and air ambulances as those  
106 terms are defined in s. 401.23.

107 (e) "Hospital" means any facility licensed under chapter  
108 395.

109 (f) "Inmate medical services" includes, but is not limited  
110 to, all services rendered by a community health care provider to  
111 an inmate, except emergency medical services and care provided  
112 by a hospital.

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

117 (h) "Medicare allowable rate" means the amount set by the  
118 Centers for Medicare and Medicaid Services which Medicare will  
119 pay for a specific covered service.

120 (i) "Secure unit" means a designated space, approved by  
121 the department, where the department can safely and efficiently  
122 manage and secure inmates receiving medical services from a  
123 community health care provider.

124 (3)-(2) Compensation to a community health care provider  
125 for the provision of ~~to provide~~ inmate medical services may not

126 exceed 110 percent of the relevant Medicare allowable rate ~~if~~  
127 ~~the health care provider does not have a contract to provide~~  
128 ~~services with the department or the contractor-operated~~  
129 ~~correctional facility, as defined in s. 944.710, which houses~~  
130 ~~the inmate. However, a community health care provider is exempt~~  
131 ~~from this section and may negotiate compensation above 110~~  
132 ~~percent of the relevant Medicare allowable rate if the community~~  
133 ~~health care provider enters into an agreement with the~~  
134 ~~department, a comprehensive health care services vendor, or a~~  
135 ~~contractor-operated correctional facility, as defined in s.~~  
136 ~~944.710, to provide health care services to inmates in a secure~~  
137 ~~unit within the community health care provider's medical~~  
138 ~~facility, within a correctional institution or facility, or by~~  
139 ~~telehealth in accordance with s. 456.47 if such inmates are~~  
140 ~~within the correctional institution or facility when they~~  
141 ~~receive medical services compensation to a health care provider~~  
142 ~~may not exceed 125 percent of the Medicare allowable rate if:~~  
143 ~~(a) The health care provider does not have a contract to~~  
144 ~~provide services with the department or the contractor-operated~~  
145 ~~correctional facility, as defined in s. 944.710, which houses~~  
146 ~~the inmate; and~~  
147 ~~(b) The health care provider reported a negative operating~~  
148 ~~margin for the previous year to the Agency for Health Care~~  
149 ~~Administration through hospital-audited financial data.~~  
150 (4) Compensation to a hospital for the provision of

151 emergency medical services and care provided to inmates may not  
152 exceed 110 percent of the Medicare allowable rate.

153 ~~(5)-(3)~~ Compensation to an entity to provide emergency  
154 medical transportation services for inmates may not exceed ~~110~~  
155 ~~percent of the Medicaid Medicare~~ allowable rate ~~if the entity~~  
156 ~~does not have a contract with the department or a contractor~~  
157 ~~operated correctional facility, as defined in s. 944.710, to~~  
158 ~~provide the services.~~

159 ~~(6)-(4)~~ This section does not apply to charges for medical  
160 services provided at a hospital operated by the department.

161 **Section 3. For the purpose of incorporating the amendment**  
162 **made by this act to section 945.215, Florida Statutes, in a**  
163 **reference thereto, subsection (1) of section 944.72, Florida**  
164 **Statutes, is reenacted to read:**

165 944.72 Contractor-Operated Institutions Inmate Welfare  
166 Trust Fund.—

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

175 **Section 4.** Except as otherwise expressly provided in this

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176 | act, this act shall take effect July 1, 2026.