

Proposed Local Law No. 2 Of 2015

County Of Ulster

A Local Law Requiring That The County Of Ulster Be Reimbursed For The Cost Of Medical Or Dental Services Provided To Inmates At The Ulster County Jail From Any Third Party Coverage Of Indemnification Carried By An Inmate

BE IT ENACTED, by the Legislature of the County of Ulster, as follows:

SECTION 1. SHORT TITLE.

This Local Law shall be known as the “Reimbursement for Inmate Healthcare Law.”

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.

The Ulster County Legislature (hereinafter the “Legislature”) hereby finds and determines that the County of Ulster (hereinafter the “County”) incurs a variety of costs in connection with providing inmates in the Ulster County Jail (hereinafter the “Jail”) with medical and dental services.

The Legislature also finds that, pursuant to Section 500-h (2) of the New York State Corrections Law, the County may pursue reimbursement for costs from any third party coverage or indemnification carried by an inmate for medical and dental services received by the inmate.

Accordingly, it is the intent of this Local Law to direct and empower the County to seek reimbursement from any third party coverage or indemnification carried by an inmate for medical and dental services received by the inmate.

SECTION 3. PAYMENT FOR MEDICAL OR DENTAL SERVICES, IF INSURED.

The County may be entitled to reimbursement from any third party coverage or indemnification carried by an inmate at the Jail for costs paid by the County on behalf of the inmate for tests, studies or analyses for the diagnoses of a disease or disability; for care and treatment by a hospital, as defined in Article 28 of the Public Health Law, or for care and treatment by a physician or dentist.

Therefore, the Sheriff of Ulster County, upon receiving a person committed to the Jail as an inmate, shall determine by questioning such person or by other procedures, if the person carries third party coverage, medical or hospitalization insurance or indemnification for services received from a hospital, doctor or dentist, required to be provided to an inmate pursuant to Section 500-h (1) of the New York State Corrections Law.

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Such third party coverage or indemnification shall first be applied against the total cost to the hospital or other provider as established in accordance with the provisions of Section 2807 of the Public Health Law relating to rates of payment of an individual's care and treatment, as provided herein.

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this regulation, or its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order of judgment shall be rendered.

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.