

TDCJ'S ANNUAL HEALTH CARE SERVICE FEE¹



TEXAS CRIMINAL
JUSTICE COALITION

WHAT IS THE HEALTH CARE SERVICE FEE?

Inmates can now be charged a maximum of \$100 per year for some visits to the doctor. Not all doctor visits have fees. There are many exemptions (see below) and the fee is only charged when an inmate attends a self-requested appointment.

Nobody can be denied treatment for inability to pay the fee.

WHO HAS TO PAY THE FEE?

Inmates who ask for a health care visit are charged a \$100 yearly fee **unless** the visit is exempt or the inmate is indigent. There is no fee until the inmate actually attends the appointment.

WHAT VISITS ARE EXEMPT FROM THE FEE?

These types of visits are NOT charged a fee:

- Emergency visits (including those from accidents or assaults)
- Non-inmate initiated visits (for example, getting a referral from doctor, health care staff, etc.)
- Testing and treatment of communicable diseases
- Mental health appointments
- Prenatal services
- Physical and mental health screenings
- Self-inflicted injuries
- Inpatient services
- Court-ordered procedures/testing
- Chronic care visits for a previously diagnosed condition (including asthma, diabetes, heart disease, hypertension, mental illness, seizure disorders, allergies, etc.)
- Health screening at a new unit
- Assessment for clipper/shaver pass, and follow-up visits as necessary



WHO IS INDIGENT?

An inmate is indigent if s/he has less than \$5 in his or her trust fund account at the time of the health care visit. If an inmate has less than \$5 in his or her account, s/he is not charged the \$100 fee at that time.

BUT, if the inmate's account balance goes over \$5 any time after the visit, half of any deposits into the account are automatically taken out until the \$100 is paid.

IS THERE A FEE FOR MENTAL HEALTH SERVICES?

There is no fee for most mental health services. But, there may be a fee IF:

- The inmate has already been evaluated by mental health staff, AND
- S/he was found NOT to have a mental health diagnosis, AND
- S/he asks to be reevaluated, THEN
- The provider MAY decide to apply the fee.

WHEN IS THE FEE COLLECTED?

The fee is collected when the inmate attends a health care appointment, not when the inmate asks for the appointment through a "Sick Call Request."

REMEMBER! There is no fee if the doctor, health care staff, or any other staff requests the visit.

HOW OFTEN IS THE FEE COLLECTED?

One \$100 fee is collected once every 12 months – no matter how many times the inmate goes to the doctor in a year.

REMEMBER! There is only a fee if an inmate ASKS for the health care visit and attends the appointment.

HOW IS THE FEE COLLECTED?

The fee is collected from the inmate's trust fund account. If there is more than \$5 but less than \$100 in the account, half of the money in the account is collected. Half of any new deposits are collected until the entire \$100 fee is paid.

REMEMBER! The fee is only collected when an inmate has more than \$5 in his or her trust account.

WHAT IF THE FEE IS NOT PAID?

If an inmate owes the fee, but does not have enough money in his or her account to pay it, the amount owed carries over to the next 12-month period. Each year after that, when an inmate is charged a fee but s/he still cannot pay, the amount is added to what is already owed from previous years.

WHAT HAPPENS TO UNPAID FEES UPON RELEASE?

TDCJ does not bill released inmates for unpaid Health Care Service fees.

Also, the Board of Pardons and Paroles does not make individuals pay unpaid fees as a condition of parole. And a parolee cannot be revoked by the Parole Board for owing the Health Care Service fee.

If an individual returns to a TDCJ facility, any amount owed is applied to his or her current account.

IS TDCJ TELLING INMATES ABOUT THE FEE?

A "Notice to Offenders" is posted in many of the common areas of each unit and published in the *Echo* (the TDCJ prison newspaper). The "Sick Call Request" form has an explanation of the fee and a place for the inmate's signature to acknowledge an understanding of the fee policy.

¹Texas Department of Criminal Justice issued Administrative Directive (AD) – 06.08 (rev. 6) titled "Annual Health Care Service Fee for Offenders" in response to legislation effective September 28, 2011.