

Amend CSSB 23 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. CORRECTIONAL HEALTH CARE. (a) Subchapter C, Chapter 499, Government Code, is amended by adding Section 499.055 to read as follows:

Sec. 499.055. POPULATION MANAGEMENT BASED ON INMATE HEALTH.
The department shall adopt policies designed to manage inmate population based on similar health conditions suffered by inmates. The policies adopted under this section must maximize organizational efficiencies and reduce health care costs to the department by housing inmates with similar health conditions in the same unit or units that are, if possible, served by or located near one or more specialty health care providers most likely to be needed for the treatment of the health condition.

(b) Section 501.063, Government Code, is amended to read as follows:

Sec. 501.063. ANNUAL INMATE FEE ~~[COPAYMENTS]~~ FOR ~~[CERTAIN]~~ HEALTH CARE ~~[VISITS]~~. (a) An inmate confined in a facility operated by or under contract with the department, other than a halfway house, ~~[who initiates a visit to a health care provider]~~ shall pay an annual health care services fee ~~[make a copayment]~~ to the department in the amount of \$100 ~~[\$3]~~. The inmate shall pay ~~[make]~~ the annual fee ~~[copayment]~~ out of the inmate's trust fund. If the balance in the fund is insufficient to cover the fee ~~[copayment]~~, 50 percent of each deposit to the fund shall be applied toward the balance owed until the total amount owed is paid.

(b) ~~[The department may not charge a copayment for health care:~~

~~[(1) provided in response to a life-threatening or emergency situation affecting the inmate's health,~~

~~[(2) initiated by the department,~~

~~[(3) initiated by the health care provider or consisting of routine follow-up, prenatal, or chronic care, or~~

~~[(4) provided under a contractual obligation that is established under the Interstate Corrections Compact or under an agreement with another state that precludes assessing a copayment.~~

~~[(e)]~~ The department shall adopt policies to ensure that before any deductions are made from an inmate's trust fund under this section ~~[an inmate initiates a visit to a health care provider]~~, the inmate is informed that the annual health care services fee ~~[a \$3 copayment]~~ will be deducted from the inmate's trust fund as required by Subsection (a).

(c) ~~[(d)]~~ The department may not deny an inmate access to health care as a result of the inmate's failure or inability to pay a fee under this section ~~[make a copayment]~~.

(d) ~~[(e)]~~ The department shall deposit money received under this section in an account in the general revenue fund that may be used only to pay the cost of administering this section. At the beginning of each fiscal year, the comptroller shall transfer any surplus from the preceding fiscal year to the state treasury to the credit of the general revenue fund.

(c) Subchapter B, Chapter 501, Government Code, is amended by adding Section 501.067 to read as follows:

Sec. 501.067. AVAILABILITY OF CERTAIN MEDICATION. (a) In this section, "over-the-counter medication" means medication that may legally be sold and purchased without a prescription.

(b) The department shall make over-the-counter medication available for purchase by inmates in each inmate commissary operated by or under contract with the department.

(c) The department may not deny an inmate access to over-the-counter medications as a result of the inmate's inability to pay for the medication. The department shall pay for the cost of over-the-counter medication for inmates who are unable to pay for the medication out of the profits of inmate commissaries operated by or under contract with the department.

(d) The department may adopt policies concerning the sale and purchase of over-the-counter medication under this section as necessary to ensure the safety and security of inmates in the custody of, and employees of, the department, including policies concerning the quantities and types of over-the-counter medication that may be sold and purchased under this section.