

VAN BUREN COUNTY QUORUM COURT  
ORDINANCE NO. 2011-10

**BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN,  
STATE OF ARKANSAS, AN EMERGENCY ORDINANCE TO BE ENTITLED:**

**AN EMERGENCY ORDINANCE AUTHORIZING THE ESTABLISHMENT  
OF AN INMATE HEALTH CARE POLICY AT THE VAN BUREN COUNTY  
DETENTION CENTER, SETTING FEES AND FOR OTHER PURPOSES.**

**WHEREAS:** Health care costs for prisoners in the Van Buren County Detention Center continue to increase; and

**WHEREAS:** Charging a prisoner a co-pay for the providing of medical services does not violate the constitution, provided that necessary medical services are not denied in the event that a prisoner cannot pay; and

**WHEREAS:** It is the intent of the Van Buren County Quorum Court to develop a medical service program for prisoners that will contain jail health care costs and promote efficient access to health care for Van Buren County Detention Center prisoners.

**THEREFORE BE IT ENACTED BY THE QUORUM COURT OF VAN BUREN  
COUNTY, ARKANSAS:**

**Section 1.** All prisoners in the Van Buren County Detention Center shall be required to pay a twenty dollar (\$20.00) co-pay fee for any prisoner initiated medical services. Said services include but are not limited to, seeing a Doctor, Nurse, Dentist, etc.

**Section 2.** All prisoners in the Van Buren County Detention Center shall be required to pay a ten dollar (\$10.00) co-pay fee for all prescription drugs.

**Section 3.** All prisoners shall pay an over-the-counter fee for non-prescription drugs and toiletries, this fee shall be established by the Sheriff or Sheriff's Designee.

**Section 4.** A commissary account shall be established at the Van Buren County Detention Center for each prisoner by which the above fees shall be deducted anytime any prisoner initiated health care service is requested.

**Section 5.** If a prisoner lacks sufficient funds in his/her commissary account to pay for the above services, said prisoner shall not be denied access to care based on his/her inability to pay or for any other reason. Said prisoner will, however, have an outstanding balance in his/her commissary account with the Van Buren County Detention Center that will be subject to payment at any time said prisoner returns to the Van Buren County Detention Center. The Van Buren County Sheriff will maintain that account balance and any and all outstanding bills incurred under this Ordinance by prisoners in the Van Buren County Detention Center will be charged to that commissary account.

**Section 6.** When each prisoner is delivered to court, the Sheriff or Sheriff's Designee shall provide the Prosecuting Attorney any invoices for the expenses incurred under this Ordinance not covered by the prisoner's commissary account from the day of his/her initial incarceration for the time he/she remained there, so the Judge can hear the prisoner's side of the story regarding the imposition of the expenses incurred under this Ordinance as an additional element of cost to be assessed as a part of the judgment upon conviction, and reduce the assessed amount to judgment.

**Section 7.** Once the collectible expenses have been reduced to judgment, they shall be collected in the same manner as fines and court costs are collected and the property of the detainee shall be subjected to the payment of such expenses in accordance with A.C.A. 12-41-505 (repl. 2003).

**Section 8.** EMERGENCY CLAUSE: The adoption of this Ordinance is necessary for the proper and efficient administration of the Van Buren County Detention Center and for the preservation of the health, safety, and welfare of the residents of Van Buren County, Arkansas; therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage.

**APPROVED THIS 17<sup>th</sup> DAY OF MARCH, 2011.**

APPROVED:

  
Roger Hooper, County Judge

ATTEST:

  
Ester Bass, County Clerk