

CHAPTER 641

COUNTY JAILS

641.14 Jails; separation of prisoners.

641.15 Prisoners; feeding, care.

641.14 JAILS; SEPARATION OF PRISONERS.

The sheriff of each county is responsible for the operation and condition of the jail. If construction of the jail permits, the sheriff shall maintain strict separation of prisoners to the extent that separation is consistent with prisoners' security, safety, health, and welfare. The sheriff shall not keep in the same room or section of the jail:

- (1) a minor under 18 years old and a prisoner who is 18 years old or older, unless:
 - (i) the minor has been committed to the commissioner of corrections under section 609.105;
 - (ii) the minor has been referred for adult prosecution and the prosecuting authority has filed a notice of intent to prosecute the matter for which the minor is being held under section 260.125; or
 - (iii) the minor is 16 or 17 years old and has been indicted for murder in the first degree;
- (2) a female prisoner and a male prisoner; and
- (3) a minor under 18 years old and an extended jurisdiction juvenile 18 years old or older who is alleged to have violated the conditions of the stay of execution.

History: 1995 c 226 art 3 s 49

641.15 PRISONERS; FEEDING, CARE.

[For text of subd 1, see M.S.1994]

Subd. 2. Medical aid. Except as provided in section 466.101, the county board shall pay the costs of medical services provided to prisoners. The county is entitled to reimbursement from the prisoner for payment of medical bills to the extent that the prisoner to whom the medical aid was provided has the ability to pay the bills. If the prisoner does not have the ability to pay the prisoner's entire medical bill, the prisoner shall, at a minimum, incur copayment and coinsurance obligations for health care services received in the amounts established for adult enrollees of the MinnesotaCare program established under section 256.9353, subdivision 7, to the extent the prisoner has available funds. If there is a disagreement between the county and a prisoner concerning the prisoner's ability to pay, the court with jurisdiction over the defendant shall determine the extent, if any, of the prisoner's ability to pay for the medical services. If a prisoner is covered by health or medical insurance or other health plan when medical services are provided, the county providing the medical services has a right of subrogation to be reimbursed by the insurance carrier for all sums spent by it for medical services to the prisoner that are covered by the policy of insurance or health plan, in accordance with the benefits, limitations, exclusions, provider restrictions, and other provisions of the policy or health plan. The county may maintain an action to enforce this subrogation right. The county does not have a right of subrogation against the medical assistance program or the general assistance medical care program.

[For text of subds 3 to 5, see M.S.1994]

History: 1995 c 226 art 5 s 6

NOTE: The amendment to this section by Laws 1995, chapter 226, article 5, section 6, is effective July 1, 1996. See Laws 1995, chapter 226, article 5, section 13.