

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0611.01 Anna Petrini x5497

HOUSE BILL 25-1026

HOUSE SPONSORSHIP

Carter and Garcia,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING PROCEDURES RELATED TO THE PROVISION OF
102 HEALTH-CARE SERVICES TO INMATES, AND, IN CONNECTION
103 THEREWITH, PROHIBITING CERTAIN COPAYMENTS AND FEES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires the department of corrections (department) to assess a copayment for inmate-initiated visits to providers of medical, dental, mental health, and optometric care services. Current law permits a waiver or reduction of the copayment under a range of circumstances. The department's current administrative regulations assess fees when an

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

inmate fails to attend or refuses a scheduled health-care appointment. The bill eliminates the copayment and prohibits the department from assessing a fee when an inmate fails to attend or refuses a health-care appointment.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The U.S. supreme court in *Estelle v. Gamble*, 429 U.S. 97
5 (1976), established that people who are incarcerated have a constitutional
6 right to health care, and prison health care supports community reentry
7 and well-being;

8 (b) Colorado law authorizes the Colorado department of
9 corrections to charge people who are incarcerated copayments and
10 additional charges for emergency, medical, mental health, dental, and
11 optometric visits, as well as charges for requesting, using, refusing, or
12 failing to use medical services;

13 (c) Pursuant to section 17-1-113 (1)(a), Colorado Revised
14 Statutes, the general assembly has previously found "that the procedures
15 for charging inmates a copayment for medical services are confusing to
16 department personnel and, as a result, are inconsistently applied";

17 (d) Copayments and other medical charges in prison create
18 financial barriers that restrict access to critical health-care treatment.
19 Research published in *JAMA Internal Medicine* in 2024 demonstrates
20 that the burden of paying health-care charges in prison prevents people
21 who are incarcerated from seeking essential services, including medical
22 and mental health treatment.

23 (e) Copayments and other medical charges in prison jeopardize
24 the health of Coloradans. According to a 2024 article in the centers for

1 disease control and prevention journal Emerging Infectious Diseases,
2 reductions in prison health-care use can increase the spread of illness and
3 disease, negatively affecting people who are incarcerated, prison staff and
4 visitors, and the broader public.

5 (f) Public health, mental health, law, and corrections experts
6 oppose health-care charges in prison, including copayments and any other
7 policies or practices that restrict people's access to health care; and

8 (g) To fulfill the department of corrections' mission to build a
9 safer Colorado, and to support the health of all Coloradans, copayments
10 and additional charges for requesting, using, refusing, or failing to use
11 medical services in prison must be repealed.

12 **SECTION 2.** In Colorado Revised Statutes, **add** 17-1-112.7 as
13 follows:

14 **17-1-112.7. Medical visits - copayment and fees prohibited.**

15 (1) THE DEPARTMENT SHALL NOT ASSESS A COPAYMENT AGAINST AN
16 INMATE ACCOUNT FOR MEDICAL, DENTAL, MENTAL HEALTH, OR
17 OPTOMETRIC SERVICES, INCLUDING SPECIALTY OR EMERGENCY CARE
18 SERVICES, PROVIDED TO THE INMATE.

19 (2) THE DEPARTMENT SHALL NOT ASSESS A FEE AGAINST AN
20 INMATE ACCOUNT IF AN INMATE:

21 (a) FAILS TO ATTEND A SCHEDULED APPOINTMENT FOR MEDICAL,
22 DENTAL, MENTAL HEALTH, OR OPTOMETRIC CARE SERVICES, INCLUDING
23 SPECIALTY CARE SERVICES;

24 (b) FAILS TO PROVIDE TIMELY NOTICE WHEN THE INMATE IS
25 UNABLE TO ATTEND A SCHEDULED APPOINTMENT FOR MEDICAL, DENTAL,
26 MENTAL HEALTH, OR OPTOMETRIC CARE SERVICES, INCLUDING SPECIALTY
27 CARE SERVICES; AND

1 (c) OTHERWISE REFUSES AN APPOINTMENT FOR MEDICAL, DENTAL,
2 MENTAL HEALTH, OR OPTOMETRIC CARE SERVICES, INCLUDING SPECIALTY
3 OR EMERGENCY CARE SERVICES.

4 **SECTION 3.** In Colorado Revised Statutes, **repeal** 17-1-113.

5 **SECTION 4. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions.