



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY
Public Health Department – Administrative Services
Finance-Contracts and Grant Claiming

ALAMEDA COUNTY
CRIMINAL JUSTICE MEDICAL PROGRAM
Policy for Reimbursement of Medical Services
for Individuals in Police Custody
Effective Date: 1/10/2011

I. Policy

A. Authority:

California Government Code §29602
Amended by 263 Cal.App.2d 272 (1968)

B. Responsibility:

The program is responsible for reimbursing the cost of urgent emergency medical treatment provided to adults, who have violated a State Statute or County Ordinance and are in police custody, but have yet to be booked. Expenses eligible for reimbursement include those related to hospital, physician care, and ambulance services. The program is also responsible for reimbursing the cost of blood alcohol testing, under certain conditions.

C. Eligibility:

This program covers pre-booking medical care services for adults who are *not* inmates of a public institution (i.e. an adult who is under arrest but not yet booked).

D. Policy of Remittance:

Claims for emergency hospital treatment or services must be submitted, approved, and paid *before* claims from physicians, labs, etc. will be paid. Services will be reimbursed at current Medi-Cal rates. Claims must be submitted *within 12 months* of the date of service.

II. Services Covered Under Program:

A. Emergency Medical Treatment

- This program is responsible for true emergency services (e.g., Code 2 or Code 3 by ambulance, life or death situation, etc. Patients arriving by police vehicle are not covered by this program).
- Patient *must* be in police custody prior to booking.

- Services provided to an adult in custody, who is subsequently released without being booked, will be covered by the program if there was an original intent to book at the time of arrest. For the claim to be paid, the individual must be held in custody by the arresting officer until after release from the hospital and, upon release, the arresting officer must provide documentation showing reason for release of arrestee without booking.

B. Hospitalization

If emergency treatment results in hospital admittance, the institution must receive prior approval from the Criminal Justice Medical Program (CJMP) before admitting the individual.

- To receive approval, call (510) 267-8089 or (510) 267-8033 (If there is no answer, press '0' and ask for the CJMP Supervisor). The CJMP staff will fax the hospital an authorization form with an authorization number. If admittal is not during regular business hours (M-F, 8:30 am to 5:00 pm), the approval request must be made when the CJMP office re-opens.
- CJMP patients *must* be under police guard while in the hospital.
- Funding for this program will only cover hospitalization costs according to the CPT Codes.
- Claims submitted for patients who are admitted to the hospital without prior authorization *will not* be covered.

C. Fire Department Costs

- Funding for this program will only cover 20% of the Fire Department claims.

D. Blood Alcohol Testing

- CJMP is responsible for the costs associated with blood alcohol testing if 1) the fund established by California Penal Code 1463.14 is exhausted and 2) the arrest was made by the California Highway Patrol in an unincorporated area.
 - Penal Code 1463.14 establishes a fund to pay for the cost of performing analyses of blood, breath or urine for alcohol content or the presence of drugs. State Attorney General Legal Opinions 91-902 and 97-1106 have determined that, in the event that the account becomes depleted, the public entity ordering the test must bear the cost. Additionally, these opinions have determined that the costs of testing a person arrested by the California Highway Patrol in an unincorporated area are to be paid by the county and the costs of testing for a person arrested by any officer within a city are to be paid by that city.

III. Reimbursement Guidelines:

For emergency medical services, the Alameda County CJMP will cover claims from 1) adult patients in custody prior to booking who do not qualify for Medi-Cal or Medicare, and 2) adult patients in custody prior to booking who are not covered by private health insurance.

This program *will not* pay for the services for arrestees 1) who have Medi-Cal, Medicare coverage or are eligible for coverage or 2) who have private health insurance coverage (Penal Code Section 4015).

A. Service Provider:

Ensure that Alameda County CJMP is *only* invoiced for services to adult arrestees 1) who have not yet been booked, who arrived at the facility via ambulance, whose conditions were a Code 2, Code 3, or life or death situation, and for whom do not have Medi-Cal, Medicare, HMO or private insurance coverage, or 2) who have not yet been booked and for whom blood alcohol testing.

The Service Provider *must* provide the following documentation for services provided:

NOTE: It is not the responsibility of CJMP to ensure that all of the following documentation is submitted and received.

- 1) A copy of the Emergency Room/Medical Report
- 2) Original of UB-92/82, Form HCFA 1500, or Medicare/Medi-Cal Outpatient claim form with CPT 4 codes
- 3) Original of the CJMP Arrest Data Sheet or copy of the arrest report showing date and time of booking
- 4) In cases of hospital admittance, a copy of the faxed Authorization Form from the CJMP office

NOTE: There will be no reimbursement unless all of the above requirements are met.

B. Arresting Officer:

The Arresting Officer *must*:

- 1) Provide the jurisdiction name, his/her name and badge number, and a statement entered on the medical record that the client is in custody
- 2) Provide the medical facility with a copy of the Arrest Report or fill in the required data in the CJMP Arrest Data Sheet.
- 3) Notify the medical facility if and when the custody changes from pre-booked to booked.

IV. Services NOT Covered By Program:

A. This program *will not* cover claims that are submitted:

1. Over 12 months from the date of service
2. Before those submitted by the hospital providing service. Hospital claims must be submitted and approved before claims will be processed for other providers (e.g. physicians, labs, etc.)
3. Without proper documentation in police report or medical report

- B. This program *will not* cover claims submitted for:
1. Patients who are covered by Medi-Cal, Medicare, or eligible for coverage
 2. Patients who are covered by private health insurance
 3. Individuals who are active military personnel
 4. Patients who were booked *prior* to receiving emergency services
 5. Services requested by police jurisdiction for individuals *not* in custody
 6. Non-emergency medical treatment (minor injury or illness)
 - This program *will not* reimburse private hospitals or other care providers for the services provided to adult patients who *do not* require significant medical care. This includes minor injuries/illnesses or complaints. Services provided by private hospitals for non-emergency care will be the financial responsibility of the requesting jurisdiction.
 - Local police departments have the option of using Highland Hospital, Fairmont Hospital, and Washington Hospital or paying for the non-emergency services at a private institution.
 7. Examinations for victims of sexual assault
 - As governed by Penal Code Section 13823.95, the jurisdiction in which the alleged offense was committed has the fiscal responsibility of sexual assault examinations. Individuals over the age of 15 suspected of being sexually assaulted or abused may be taken to Highland Hospital or to any private hospital. If a private hospital is chosen, the jurisdiction requesting the service will be responsible for payment.
 - Children under the age of 15 suspected of being sexually assaulted or abused should be taken to Children's Hospital in Oakland.
 - Claims for evidence collection must be submitted to the police jurisdiction requesting the service. Claims for services other than evidence collection should be directed to Victim-Witness Assistance Division Claims Unit of the District Attorney's Office.
 8. Minors in custody. Claims for children in custody are handled through the Juvenile Hall Medical Reimbursement Program
 9. Examinations for medical clearance for incarceration ("Fit For" examinations)
 - "Fit For" examinations are the financial responsibility of the requesting jurisdiction
 10. Services for evidence collection
 11. Most transportation services. The program *will not* cover transportation 1) from a private hospital to another private hospital unless transfer is to the trauma unit at Eden Hospital due to extreme emergency condition, 2) from a private hospital to John George Psychiatric Pavilion, or 3) from any hospital to any local or county jail.

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