



ARIZONA STATE SENATE

Fifty-Fifth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2328

Arizona correctional industries; workplace injuries

Purpose

Prohibits a prisoner, in an action for damages brought against a private entity contracted to provide prisoner services or labor, from introducing into evidence the cost of medical services the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) or the State of Arizona paid on the prisoner's behalf due to the prisoner's injury or death. Allows a prisoner to introduce any amount the prisoner has paid for medical services.

Background

The Director of ADCRR (Director) may contract with any state agency, political subdivision or state department or any private person, firm, corporation or association to provide services or labor rendered by prisoners. All monies derived from contract services are deposited into the Arizona Correctional Industries Revolving Fund ([A.R.S. § 41-1624.01](#)).

The Director must provide medical and health services for prisoners and must establish reasonable medical and health service fees for the services that are provided. Exceptions to the requirement that every inmate be charged a reasonable medical and health services fee for each medical visit are made for: 1) medical visits initiated by the ADCRR medical or mental health staff; 2) medical visits to a physician by inmates who are referred by a physician assistant or nurse practitioner; 3) inmates at reception centers; 4) juvenile inmates, pregnant inmates or seriously mentally ill inmates; 5) inmates who are housed or inpatients in a special programs unit, unit 8 at the Florence prison facility, the Alhambra prison facility special programs psychiatric hospital or the Flamenco prison facility mental health treatment unit; or 6) inmates who are undergoing administrative physical examinations for statewide driver status and firefighting crews or for follow-up medical treatment for chronic diseases ([A.R.S. § 31-201.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a prisoner, in an action for damages for a work-related injury or death brought against a private person, firm, corporation or association contracted to provide services or prisoner labor, from introducing into evidence the amount or cost of medical and health services ADCRR or Arizona paid on the prisoner's behalf due to the prisoner's injury or death.
2. Allows a prisoner to introduce into evidence any amount the prisoner has paid for or contributed to secure the prisoner's right to medical and health services.
3. Becomes effective on the general effective date.

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House Action

MAPS 1/31/22 DP 8-7-0-0
3rd Read 2/17/22 31-28-1

Prepared by Senate Research

March 1, 2022

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