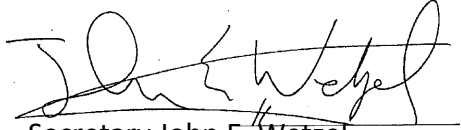


TO: All Concerned



FROM: Secretary John E. Wetzel

DATE: May 26, 2021

RE: Medical Co-Pays

COVID-19 has no cure. Although the Department of Corrections has done a great job in responding to this disease, it has not been eradicated. Throughout this pandemic, we have heard of incarcerated people who would not report their symptoms to staff for fear of not being able to pay the \$5 medical co-pay.

Although 61 Pa.C.S.A. § 3307 provides that the “department shall collect fees for medical services provided to an inmate...”, exceptions exist to charging those fees. For instance, 37 PA Code § 93.12(d)(2) allows for the Department to not charge fees for treatment initiated by the Department for public health reasons. Similarly, 37 PA Code § 93.12(d)(7) allows for the Department to not charge fees for “medical treatment for a chronic or intermittent disease or illness.” And, 37 PA Code § 93.12(d)(12) provides that fees will not be charged for “medical service provided to an inmate during a medical emergency, unless the medical emergency resulted from a self-inflicted injury or illness...”

Given the significant impact COVID-19 may have on the lives of incarcerated people, Department of Corrections staff, and the Department of Corrections as whole, in accordance with the above regulations I am indefinitely suspending the requirement that incarcerated people must pay medical co-pays.