

# Chase County v. City of Imperial

**Case Number**

A-17-0813

**Court Number**

Chase

**Call Date**

June 12, 2018

**Case Time**

1:00 PM

**Case Audio**

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**Case Summary****A-17-0813, Chase County v. City of Imperial (appellant)**

Chase County, District Judge David W. Urbom

Attorney for Appellant: Joshua J. Wendell (McQuillan & Wendell, P.C., L.L.O.)

Attorney for Appellee: Arlan G. Wine (County Attorney)

Civil Action: declaratory judgment

Action Taken by Trial Court: The district court entered summary judgment in favor of Chase County and determined that the City of Imperial was responsible for payment of a contested medical bill.

Assignments of Error on Appeal: On appeal, City of Imperial assigns that the district court erred in (1) concluding that an arresting law enforcement agency be responsible for the costs of providing medical care to an arrested or detained person which was required by the jailing agency for admission to the jail, (2) applying the Nebraska Jail Standards Act to define the appropriate governmental agency responsible for providing medical care to arrested persons when the Nebraska Legislature has provided in Neb. Rev. Stat. §§ 47-701 to 705 governs responsibility for costs of medical services notwithstanding any other provision of law and Neb. Rev. Stat. § 47-703 is unambiguous on its face, (3) determining costs associated with a health screening that is a required part of the jail admission process is not a routine medical service as provided in Neb. Rev. Stat. § 47-704, (4) determining that a governmental agency operating a jail or institution has no responsibility under § 47-703(2) unless and until the jailing institution completes a jail admission process and takes an affirmative act to accept custody of a person lawfully arrested, and (5) determining that Chase County has discretion to refuse a person who was lawfully arrested within the County of Chase and presented to the Chase County Sheriff for detainment.

**Case Location**

Lincoln

**Court Type**

District Court

**Schedule Code**

A2

**Panel Text**

Pirtle, Riedmann, and Bishop, Judges

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