

SENATE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 458 by Senator Gatti

1 AMENDMENT NO. 1

2 On page 1, line 2, after "15:574.20(A)" delete "and" and insert a comma "," and after  
3 "(C)(1)(a)" insert ", (D), and (E)"

4 AMENDMENT NO. 2

5 On page 1, line 7, after "15:574.20(A)" delete "and" and insert a comma "," and after  
6 "(C)(1)(a)" insert ", (D), and (E)"

7 AMENDMENT NO. 3

8 On page 2, delete line 12 and insert the following:

9 "D.**(1)** No offender shall be recommended for parole or medical treatment  
10 furlough pursuant to this Section by the department until full consideration has been  
11 given to the offender's crime and criminal history, length of time served in custody,  
12 institutional conduct, an indication that the offender represents a low risk to himself  
13 or society, and a medical assessment of the offender's condition. In the assessment  
14 of risk, emphasis shall be given to the offender's medical condition and how this  
15 relates to his overall risk to society.

16 **(2) Neither the department nor the warden of the correctional facility**  
17 **shall recommend that the offender's sentence be commuted for any medical**  
18 **reasons contemplated by this Section.**

19 E.**(1)** The authority to grant **medical** parole or medical treatment furlough  
20 pursuant to this Section shall rest solely with the committee on parole, and the  
21 committee shall establish additional conditions of the parole or medical treatment  
22 furlough in accordance with the provisions of this Subpart.

23 **(2)** The Department of Public Safety and Corrections shall identify those  
24 offenders who may be eligible for medical parole or medical treatment furlough  
25 based upon available medical information. In considering an offender for medical  
26 parole or medical treatment furlough, the committee may require that additional  
27 medical evidence be produced or that additional medical examinations be conducted.

28 **(3)** The committee on parole shall determine the risk to public safety and  
29 shall grant medical parole or medical treatment furlough only after determining that  
30 the offender does not pose a threat to public safety.

31 **(4) An offender who is denied medical parole or medical treatment**  
32 **furlough may apply for a rehearing within the time frame applicable to a denial**  
33 **of parole under any other provision of this Part.**

34 **(5)(a) Within seven business days of the decision of the committee on**  
35 **parole to grant medical parole or medical leave furlough to an offender, the**  
36 **department shall notify any off-site medical facility designated for an eligible**  
37 **offender's medical treatment of the decision.**

38 **(b) The off-site medical facility shall, not less than fourteen days before**  
39 **the offender begins treatment at the facility, provide notice to its patients or**  
40 **residents that the offender will be receiving treatment at that facility.**

41 **(c) The off-site medical facility shall, not less than fourteen days before**  
42 **the offender begins treatment at the facility, provide notice that the offender**  
43 **will be receiving treatment at that facility to each patient's or resident's next of**  
44 **kin, curator, tutor, or person having power of attorney for the patient or**  
45 **resident.**

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