



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 728** HLS 22RS 854
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: April 19, 2022	8:40 AM	Author: DUPLESSIS
Dept./Agy.: Corrections		
Subject: Medical parole		Analyst: Rebecca Robinson

PAROLE OR SEE FISC NOTE GF EX Page 1 of 1
 Provides relative to medical parole

Proposed law renames the medical parole program the Medical Release Program and establishes new guidelines. Offenders may be eligible for release under this program in addition to any other parole for which they may be eligible. Offenders who are completely disabled, dementia patients, irreversibly ill, or who have limited mobility shall be eligible for consideration for release under the proposed program. Creates the committee on medical release who shall have the sole authority to release an offender under the program. Removes the restriction that medical parole shall not be available to any offender serving a sentence for a conviction of first degree murder, second degree murder, or an offender who is awaiting execution.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total						
REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There will be an indeterminable net impact in state expenditures as a result of the creation of the Medical Release Program within the Department of Public Safety & Corrections - Corrections Services (DPS&C). Under the proposed program, there will be an increase in Medicaid expenditures, which will be offset by a decrease in SGF expenditures for housing offenders. However, overall net impact will depend on the number number of offenders released and the facility from which they were released.

There will be an indeterminable increase in Medicaid expenditures in the Louisiana Department of Health as a result of the creation of the Medical Release Program. The program will expand the eligibility criteria for medical release in the Department of Public Safety & Corrections, and LDH anticipates a significant number of individuals would be eligible for Medicaid. Offenders released, under this program, would fall into one of two groups: High Need Medicaid Expansion at a cost of \$1,390/per month or \$16,680 annually, per offender; or Provisional Medicaid at a cost of \$1,666 per month or \$19,992 annually, per offender.

There will be a decrease in SGF expenditures for the Department of Public Safety & Corrections - Corrections Services (DPS&C) to the extent there is an increase in the number of offenders released under the proposed Medical Release Program. It is not known the number of offenders who would be released under the program; therefore, the decrease in indeterminable. However, any offender released from the custody of DPS&C decreases SGF expenditures \$26.39 per day, or \$9,632 annually, per offender in adult local housing. There will be a decrease in expenditures of \$83.23 per day, or \$30,379 annually, per offender in a state correctional facility.

At the time of this writing, DPS&C had not responded to the LFO's requests for additional information regarding medical expenses paid or the number of anticipated applications under the proposed program.

For informational purposes: According to the HR 51 Task Force Report, between 2018 and 2021, 72 offenders were granted some form of medical release: 32 granted compassionate release; 22 medical parole; and 18 medical treatment furlough. During the same time period, 54 people were denied release.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
 Interim Deputy Fiscal Officer