2022 Regular Session

HOUSE BILL NO. 517

BY REPRESENTATIVE SELDERS

1	AN ACT
2	To amend and reenact R.S. 15:831(A) and to enact R.S. 15:827.4, relative to medical
3	services in the Department of Public Safety and Corrections; to create a Medical
4	Advisory Council within the Department of Public Safety and Corrections; to
5	provide relative to membership and powers of the Medical Advisory Council; to
6	provide relative to powers of the secretary of the Department of Public Safety and
7	Corrections; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 15:831(A) is hereby amended and reenacted and R.S. 15:827.4 is
10	hereby enacted to read as follows:
11	§827.4. Establishment of Medical Advisory Council
12	A. The Medical Advisory Council to the secretary is hereby created within
13	the Department of Public Safety and Corrections and shall consist of the medical
14	directors from each state prison facility and the department medical director.
15	B. The council shall provide recommendations to the department regarding
16	the following:
17	(1) Hiring and retention.
18	(2) Department policies.
19	(3) Post-mortem review.
20	(4) A correctional health electronic records system that is compatible with
21	major hospitals and health providers outside the correctional institutions.
22	(5) Other reasonably related responsibilities of institutional oversight.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	C. The council shall nominate and elect a chair, vice chair, and secretary, and
2	hold meetings no less than quarterly.
3	D. The initial members of the medical advisory council shall serve until
4	August 14, 2025, and all subsequent members shall serve three-year terms beginning
5	on August fifteenth of each successive term.
6	E. The secretary shall have the authority to contract with consultants to assist
7	the medical advisory council and medical director in the promulgation and review
8	of institutional policies and practices.
9	F. The council shall submit a quarterly report to the state health officer
10	within the Louisiana Department of Health.
11	* * *
12	§831. Medical care of inmates; testing
13	A. The secretary of the Department of Public Safety and Corrections, using
14	the recommendations of the Department of Public Safety and Corrections Medical
15	Advisory Council, shall establish and shall prescribe standards for health, medical,
16	and dental services for each institution, including preventive, diagnostic, and
17	therapeutic measures on both an outpatient and a hospital basis, for all types of
18	patients. An inmate may be taken to a medical facility outside the institution when
19	deemed necessary by the director. However, in situations which are not life-
20	threatening, the medical facility selected to treat the inmate shall be a part of the
21	state's charity hospital system. In emergency situations where treatment by a state
22	charity hospital is not available or feasible, the inmate may receive emergency
23	treatment at the nearest private medical facility. As soon as practicable, the inmate
24	should be transferred to a facility operated by the state's charity hospital system.
25	Notwithstanding any law to the contrary, all payments to private hospitals or health
26	care providers shall be governed by R.S. 15:824(B)(1)(c). No monies appropriated
27	to the department from the state general fund or from dedicated funds shall be used
28	for medical costs associated with organ transplants for inmates or for the purposes
29	of providing cosmetic medical treatment of inmates, unless the condition
30	necessitating such treatment or organ transplant arises or results from an accident or

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1	situation which was the fault of the department or resulted from an action or lack of
2	action on the part of the department. However, nothing in this Section shall prohibit
3	an inmate from donating his vital organs for transplant purposes.
4	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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