

---

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 55 Engrossed

2023 Regular Session

Selders

**Abstract:** Provides relative to the treatment of incarcerated individuals with mental health needs.

Proposed law shall be cited and referred to as "The Mental Healing Justice for Incarcerated People Act".

Proposed law provides a statement of legislative intent. Further provides that it is the intent of the legislature that the state allocate funding for proposed law to ensure both the access and delivery of quality care for individuals incarcerated within the Dept. of Public Safety and Corrections (department). Further provides that many incarcerated individuals have limited access to mental health services despite the number of individuals with mental illnesses in the prison system exceeding the number in state-run hospitals.

Proposed law further provides within the statement of legislative intent that the legislature also finds access to high-quality mental health services, regardless of the setting, to be of overriding importance. Further provides that the state wholly supports efforts to assist incarcerated individuals suffering from severe and persistent mental illnesses, including post-incarceration syndromes, in their efforts to navigate incarceration and reentry into society.

Proposed law further provides within the statement of legislative intent that the department shall streamline the delivery of mental health services through the prudent allocation of existing resources in order to improve the safety and health of incarcerated individuals, families, and communities.

Proposed law provides a definition for the term "post-traumatic stress disorder".

Present law (R.S. 15:830) provides that the department may establish resources and programs for the treatment of inmates with a mental illness or an intellectual disability, either in a separate facility or as part of other institutions or facilities of the department.

Proposed law amends present law to make the establishment of resources and programs mandatory. Further provides that these resources and programs shall also be made available to incarcerated people meeting diagnostic criteria for post-traumatic stress disorder.

Proposed law provides that the department shall do the following:

- (1) Create a certified correctional officer peer specialist program to train officers in trauma-informed care and the recognition of symptoms associated with all forms of trauma,

including but not limited to post-traumatic stress disorders, childhood trauma, or adverse childhood experiences.

- (2) Create a certified peer specialist program to train currently incarcerated people in trauma training to provide support services in an effort to increase support to incarcerated people who have experienced trauma that continues to impact their lives.
- (3) Contract with an independent mental health agency, peer specialist, or a qualified mental health professional to provide ongoing training to correctional officers and certified peer specialists on trauma-related methodologies and interventions.
- (4) Screen for symptoms of post-traumatic stress disorder during initial intake into the department and once a year, screen all incarcerated people within the department for post-traumatic stress disorder symptoms.
- (5) Administer further evaluations to any incarcerated person identified as needing additional services to determine the best interventions and methodology options available to meet the dynamic needs of the incarcerated person suffering from trauma-related symptoms.
- (6) Review the trauma screenings and results with every incarcerated person at least one year after completing the trauma screening.
- (7) Provide treatment services to incarcerated people suffering from trauma-related symptoms.
- (8) Provide educational outreach programming to encourage incarcerated people to seek treatment that will have a positive and lasting impact on their lives.

(Amends R.S. 15:830(A), (B), and (C); Adds R.S. 15:830(D)-(F))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Remove all definitions from proposed law except for "post-traumatic stress disorder".
3. Redefine the proposed law definition of "post-traumatic stress disorder".
4. Provide that the present law resources and programs established by the Dept. of Public Safety and Corrections (DPS&C) for the treatment of inmates with a mental illness or an intellectual disability shall also be made available to incarcerated people meeting diagnostic criteria for post-traumatic stress disorder.

5. Change the proposed law duties of DPS&C relative to treatment of inmates with a mental illness or an intellectual disability, including incarcerated people meeting diagnostic criteria for post-traumatic stress disorder.