

First Extraordinary Session, 2005

HOUSE BILL NO. 127

BY REPRESENTATIVE MARTINY

CORRECTIONS/MEDICAL CARE: Provides for costs of medical care for prisoners

1 AN ACT

2 To amend and reenact R.S. 15:824(B)(1)(b) and to enact R.S. 15:713, relative to medical
3 care of prisoners; to provide for the payment of costs of medical care of prisoners in
4 certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:824(B)(1)(b) is hereby amended and reenacted and R.S. 15:713
7 is hereby enacted to read as follows:

8 §713. Medical expenses of prisoners in extraordinary circumstances

9 A. Notwithstanding any other provision of law to the contrary, the state shall
10 reimburse the sheriff of each parish for the cost of medical care incurred when the
11 health of the inmate requires hospitalization and all of the following occur:

12 (1) The governor declares by executive order or proclamation pursuant to the
13 provisions of the Louisiana Homeland Security and Emergency Assistance and
14 Disaster Act (R.S. 29:721 et seq.) a disaster or emergency encompassing the parish
15 prison.

16 (2) The Board of Supervisors of Louisiana State University and Agricultural
17 and Mechanical College declares that the state hospital operated as part of the
18 Louisiana State University Health Sciences Center, which typically provides the
19 medical care to inmates in that parish, has been rendered inoperable and is unable to
20 provide medical treatment to those inmates.

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Martiny

HB No. 127

Abstract: Provides with respect to hospitalization costs of prisoners.

Present law (R.S. 15:824) provides that an inmate who is not institutionalized in a state corrections facility because of a lack of facilities under the control of the department can be held in a parish jail. Further provides that the Dept. of Public Safety and Corrections shall reimburse only the cost of extraordinary medical expenses incurred in emergency circumstances when the health of the inmate requires the use of the closest services available.

Proposed law, with regard to inmates under the control of the department and parish prisoners, provides that the department shall reimburse the cost of medical care incurred when the health of the inmate requires hospitalization and the following occur:

- (1) The governor declares by executive order or proclamation pursuant to the provisions of the Louisiana Homeland Security and Emergency Assistance and Disaster Act (R.S. 29:721 et seq.) a disaster or emergency encompassing the parish prison.
- (2) The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College declares that the state hospital operated as part of the Louisiana State University Health Sciences Center, which typically provides the medical care to inmates in that parish, has been rendered inoperable and is unable to provide medical treatment to those inmates.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:824(B)(1)(b); Adds R.S. 15:713)