

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 356

2019 Regular Session

Henry

CRIMINAL/JUSTICE: Provides relative to visitation of inmates with serious bodily injuries at certain healthcare facilities

Synopsis of Senate Amendments

1. Relative to visits of immediate family of inmates who sustain serious bodily injury, restores present law application to intensive care units.

Digest of Bill as Finally Passed by Senate

Present law provides that the secretary of DPS&C may authorize visits and correspondence under reasonable conditions between inmates and approved friends, relatives, and other persons.

Proposed law retains present law.

Present law provides that if an inmate sustains serious bodily injury that requires admittance to an intensive care unit (ICU) or trauma center, the warden or other governing authority of the correctional facility, jail, or other detention facility must attempt to notify the inmate's immediate family within eight hours of the medical decision to transport the inmate to the ICU or trauma center.

Present law further provides that if an inmate sustains serious bodily injury that requires admittance to an ICU or trauma center, a member of the inmate's immediate family must be granted visitation with the inmate for the duration of the inmate's admission to the ICU or trauma center, unless the warden or other governing authority of the inmate's correctional facility, jail, or other detention facility provides written notice, within six hours of the inmate's admission to the ICU or trauma center, to any immediate family member seeking visitation on why such visitation cannot be granted.

Proposed law retains present law application with respect to inmates admitted to an ICU and amends present law to apply to inmates admitted to a "medical facility" instead of a "trauma center". Further requires visits to be granted daily for the duration of the inmate's admission to the intensive care unit or medical facility, unless notice is provided to any immediate family of the inmate as to why such visitation cannot be granted pursuant to present law.

Proposed law further requires the visitation to follow all security procedures and policies of the correctional facility, jail, or other detention center and the medical facility where the inmate is being housed.

Present law provides for definitions of "immediate family" and "serious bodily injury".

Proposed law amends the present law definitions to read as follows:

- (1) "Serious bodily injury" means bodily injury that involves protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.
- (2) "Immediate family" means a spouse, child, parent, stepparent, sibling, stepsibling, grandchild, or grandparent of the inmate. If all persons defined as "immediate family" are deceased, then the term shall also include siblings of the inmate's parents.

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

(Amends R.S. 15:833(A)(1)(b) and (c)(i), (ii), and (iii); Adds R.S. 15:833(A)(1)(c)(vi))