HLS 20RS-1659 ENGROSSED

2020 Regular Session

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HOUSE CONCURRENT RESOLUTION NO. 91

BY REPRESENTATIVE LANDRY

HEALTH SERVICES: Requests a study of the adequacy of health services provided to persons incarcerated in state correctional facilities

A CONCURRENT RESOLUTION

2	To urge and request Voice of the Experienced, the Formerly Incarcerated Transition Clinic
3	at the Ruth U. Fertel Tulane Community Health Center, Loyola University New
4	Orleans College of Law, and the Louisiana State University Health Sciences Center
5	at New Orleans to study the adequacy of health services provided to inmates in
6	facilities operated by the Department of Public Safety and Corrections and to report
7	findings of the study to the legislature.
8	WHEREAS, in Estelle v. Gamble, 429 U.S. 97 (1976), the United States Supreme
9	Court held that incarcerated persons have a constitutional right to receive medical treatment;
10	and
11	WHEREAS, the state of Louisiana has the highest incarceration rate in the United
12	States; and
13	WHEREAS, the Department of Public Safety and Corrections employs physicians
14	with histories of sanctions against their medical licenses to practice in state prisons under
15	its control; and
16	WHEREAS, studies have indicated that more than half of all physicians working
17	full-time in Louisiana state prisons have been disciplined by the Louisiana State Board of
18	Medical Examiners for serious offenses; and
19	WHEREAS, by comparison, studies have indicated that the approximate proportion
20	of licensed physicians serving the general population in this state who have faced sanctions
21	from the Louisiana State Board of Medical Examiners is only two percent; and

1	WHEREAS, incarcerated persons commonly have acute medical needs and should
2	be provided with the same level of treatment as the general population; and
3	WHEREAS, Voice of the Experienced is a Louisiana membership organization by
4	and for persons who are directly impacted by the criminal justice system, including
5	incarcerated persons and their family members, persons under community supervision, and
6	persons living with the lifetime impacts of criminal convictions; and
7	WHEREAS, the Formerly Incarcerated Transition (FIT) Clinic at the Ruth U. Fertel
8	Tulane Community Health Center is the only clinic in the southeast United States that
9	furnishes care and services specifically for former inmates; the clinic provides access to
10	primary care, insurance, medication, government benefits support, and other services; and
11	WHEREAS, Loyola University New Orleans College of Law is a prominent law
12	school in this state with one of the most-highly regarded clinical programs in the country;
13	and
14	WHEREAS, the Louisiana State University (LSU) Health Sciences Center at New
15	Orleans is a public university focused on the health sciences.
16	THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
17	urge and request Voice of the Experienced, the FIT Clinic at the Ruth U. Fertel Tulane
18	Community Health Center, Loyola University New Orleans College of Law, and the LSU
19	Health Sciences Center at New Orleans to study the adequacy of health services provided
20	to incarcerated persons in facilities operated by the Department of Public Safety and
21	Corrections.
22	BE IT FURTHER RESOLVED that, in this study effort, Voice of the Experienced,
23	the FIT Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University
24	New Orleans College of Law, and the LSU Health Sciences Center at New Orleans may
25	work with and receive information from various stakeholders in the criminal justice system,
26	including but not limited to representatives of the Department of Public Safety and
27	Corrections, the Louisiana State Board of Medical Examiners, and other state agencies and
28	institutions as may be appropriate.
29	BE IT FURTHER RESOLVED that Voice of the Experienced, the FIT Clinic at the
30	Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College

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of Law, and the LSU Health Sciences Center at New Orleans may also study relevant case

2 law and national practices to better understand other approaches for providing adequate

medical care to inmates in state and federal prisons.

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- 4 BE IT FURTHER RESOLVED that Voice of the Experienced, the FIT Clinic at the
- 5 Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College
- 6 of Law, and the LSU Health Sciences Center at New Orleans shall report findings from the
- 7 study called for in this Resolution to the legislature on or before February 1, 2021.
- 8 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 9 executive director of Voice of the Experienced, the director of the Formerly Incarcerated
- Transition Clinic at the Ruth U. Fertel Tulane Community Health Center, the dean of Loyola
- 11 University New Orleans College of Law, the chancellor of the Louisiana State University
- Health Sciences Center at New Orleans, the executive director of the Louisiana State Board
- of Medical Examiners, and the secretary of the Department of Public Safety and Corrections.

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)]

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Landry

Requests Voice of the Experienced, the Formerly Incarcerated Transition Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College of Law, and the Louisiana State University Health Sciences Center at New Orleans to study the adequacy of medical services provided to inmates in facilities operated by the Dept. of Public Safety and Corrections.

Requests that these parties report findings from the study to the legislature on or before Feb. 1, 2021.