

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 91

BY REPRESENTATIVE LANDRY

A CONCURRENT RESOLUTION

To urge and request 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 health services provided to inmates in facilities operated by the Department of Public Safety and Corrections and to report findings of the study to the legislature.

WHEREAS, in *Estelle v. Gamble*, 429 U.S. 97 (1976), the United States Supreme Court held that incarcerated persons have a constitutional right to receive medical treatment; and

WHEREAS, the state of Louisiana has the highest incarceration rate in the United States; and

WHEREAS, the Department of Public Safety and Corrections employs physicians with histories of sanctions against their medical licenses to practice in state prisons under its control; and

WHEREAS, studies have indicated that more than half of all physicians working full-time in Louisiana state prisons have been disciplined by the Louisiana State Board of Medical Examiners for serious offenses; and

WHEREAS, by comparison, studies have indicated that the approximate proportion of licensed physicians serving the general population in this state who have faced sanctions from the Louisiana State Board of Medical Examiners is only two percent; and

WHEREAS, incarcerated persons commonly have acute medical needs and should be provided with the same level of treatment as the general population; and

WHEREAS, Voice of the Experienced is a Louisiana membership organization by and for persons who are directly impacted by the criminal justice system, including incarcerated persons and their family members, persons under community supervision, and persons living with the lifetime impacts of criminal convictions; and

WHEREAS, the Formerly Incarcerated Transition (FIT) Clinic at the Ruth U. Fertel Tulane Community Health Center is the only clinic in the southeast United States that furnishes care and services specifically for former inmates; the clinic provides access to primary care, insurance, medication, government benefits support, and other services; and

WHEREAS, Loyola University New Orleans College of Law is a prominent law school in this state with one of the most-highly regarded clinical programs in the country; and

WHEREAS, the Louisiana State University (LSU) Health Sciences Center at New Orleans is a public university focused on the health sciences.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request Voice of the Experienced, the FIT Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College of Law, and the LSU Health Sciences Center at New Orleans to study the adequacy of health services provided to incarcerated persons in facilities operated by the Department of Public Safety and Corrections.

BE IT FURTHER RESOLVED that, in this study effort, Voice of the Experienced, the FIT Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College of Law, and the LSU Health Sciences Center at New Orleans may work with and receive information from various stakeholders in the criminal justice system, including but not limited to representatives of the Department of Public Safety and Corrections, the Louisiana State Board of Medical Examiners, and other state agencies and institutions as may be appropriate.

BE IT FURTHER RESOLVED that Voice of the Experienced, the FIT Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College of Law, and the LSU Health Sciences Center at New Orleans may also study relevant case law and national practices to better understand other approaches for providing adequate medical care to inmates in state and federal prisons.

BE IT FURTHER RESOLVED that Voice of the Experienced, the FIT Clinic at the Ruth U. Fertel Tulane Community Health Center, Loyola University New Orleans College of Law, and the LSU Health Sciences Center at New Orleans shall report findings from the study called for in this Resolution to the legislature on or before February 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the 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 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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE