

2022 Regular Session

HOUSE BILL NO. 517

BY REPRESENTATIVE SELDERS

CORRECTIONS: Creates and provides for the Medical Advisory Council within the Dept. of Public Safety and Corrections

1 AN ACT

2 To amend and reenact R.S. 15:831(A) and to enact R.S. 15:827.4, relative to medical
3 services in the Department of Public Safety and Corrections; to create a Medical
4 Advisory Council within the Department of Public Safety and Corrections; to
5 provide relative to membership and powers of the Medical Advisory Council; to
6 provide relative to powers of the secretary of the Department of Public Safety and
7 Corrections; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:831(A) is hereby amended and reenacted and R.S. 15:827.4 is
10 hereby enacted to read as follows:

11 §827.4. Establishment of Medical Advisory Council

12 A. The Medical Advisory Council to the secretary is hereby created within
13 the Department of Public Safety and Corrections and shall consist of the medical
14 directors from each state prison facility and the department medical director.

15 B. The council shall provide recommendations to the department regarding
16 the following:

17 (1) Hiring and retention.

18 (2) Department policies.

19 (3) Post-mortem review.

1 for medical costs associated with organ transplants for inmates or for the purposes
 2 of providing cosmetic medical treatment of inmates, unless the condition
 3 necessitating such treatment or organ transplant arises or results from an accident or
 4 situation which was the fault of the department or resulted from an action or lack of
 5 action on the part of the department. However, nothing in this Section shall prohibit
 6 an inmate from donating his vital organs for transplant purposes.

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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 517 Reengrossed 2022 Regular Session Selders

Abstract: Provides for the Medical Advisory Council within DPS&C.

Proposed law (R.S. 15:827.4) creates the DPS&C Medical Advisory Council composed of medical directors from each state prison facility and the department medical director.

Proposed law provides that the council shall provide recommendations to DPS&C on the following:

- (1) Hiring and retention.
- (2) Departmental policies.
- (3) Post-mortem review.
- (4) A health electronic records system.
- (5) Other reasonably related responsibilities.

Proposed law provides that the council elect a chair, vice chair, and secretary and hold quarterly meetings.

Proposed law provides the initial council members shall serve until Aug. 14, 2025. All subsequent members shall serve three-year terms beginning on Aug. 15th of each successive term.

Proposed law provides that the secretary shall have authority to contract with consultants to assist the council and the medical director.

Proposed law provides that the council shall submit a quarterly report to the state health officer within the La. Dept. of Health.

Present law (R.S. 15:831) provides for the medical care of inmates. Provides that the DPS&C secretary shall establish standards for health, medical, and dental services for each institution.

Proposed law retains present law and provides that the Medical Advisory Council shall provide recommendations to the DPS&C secretary.

(Amends R.S. 15:831(A); Adds R.S. 15:827.4)

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. Delete language that references the hiring of a statewide department medical director.
3. Change the membership of the advisory council from thirteen members of various medical disciplines or associations to the medical directors from each state prison facility and the department medical director.
4. Replace "advice and consent" with "recommendations".
5. Change the time period of the council's meetings from "annually" to "quarterly".
6. Require the council to submit a quarterly report to the state health officer within the La. Department of Health.
7. Delete language that references the Administrative Procedure Act relative to the council's advice to the DPS&C on departmental policies.
8. Delete language that requires the council to provide advisement and approval pertaining to a health electronic records system.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Delete proposed law that references the hiring of a statewide department medical director.