

Jefferson (HB 210)**Act No. 153**

Existing law provides that the decision to grant medical parole rests solely with the committee on parole.

Prior law provided that any inmate, except when incarcerated for first or second degree murder, may be considered by the committee on parole for medical parole unless the inmate is sentenced to death or has a contagious disease.

New law removes the disqualification of having a contagious disease from eligibility for consideration of medical parole.

Prior law contained criteria for consideration involving inmates who are "permanently incapacitated" or "terminally ill". Both of the criteria contained the element that the inmate, because of his condition, does not constitute a danger to himself or others.

New law removes the "danger to himself or others" element from the definition of "permanently disabled inmate" and "terminally ill inmate".

New law adds the definition of "terminally ill" to mean a life expectancy of less than one year due to an underlying medical condition.

New law provides that no inmate shall be recommended for medical parole by the Dept. of Public Safety and Corrections until full consideration has been given to the inmate's crime and criminal history, length of time served in custody, institutional conduct, an indication that the inmate represents a low risk to himself or society, and a medical assessment of the inmate's condition. In the assessment of risk, emphasis shall be given to the inmate's medical condition and how this relates to the overall risk to society.

New law provides that the committee on parole shall determine the risk to public safety and shall grant medical parole only after determining the inmate does not pose a threat to public safety.

Effective August 1, 2014.

(Amends R.S. 15:574.20)