## **ACT No. 646**

HOUSE BILL NO. 517

## BY REPRESENTATIVE SELDERS

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.
20	(4) A correctional health electronic records system that is compatible with
21	major hospitals and health providers outside the correctional institutions.
22	(5) Other reasonably related responsibilities of institutional oversight.

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C. The council shall nominate a	nd elect a chair	, vice chair.	and secretary	y, and
			-	
hold meetings no less than quarterly.				

D. The initial members of the medical advisory council shall serve until August 14, 2025, and all subsequent members shall serve three-year terms beginning on August fifteenth of each successive term.

E. The secretary shall have the authority to contract with consultants to assist the medical advisory council and medical director in the promulgation and review of institutional policies and practices.

<u>F.</u> The council shall submit a quarterly report to the state health officer within the Louisiana Department of Health.

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## §831. Medical care of inmates; testing

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A. The secretary of the Department of Public Safety and Corrections, using the recommendations of the Department of Public Safety and Corrections Medical Advisory Council, shall establish and shall prescribe standards for health, medical, and dental services for each institution, including preventive, diagnostic, and therapeutic measures on both an outpatient and a hospital basis, for all types of patients. An inmate may be taken to a medical facility outside the institution when deemed necessary by the director. However, in situations which are not lifethreatening, the medical facility selected to treat the inmate shall be a part of the state's charity hospital system. In emergency situations where treatment by a state charity hospital is not available or feasible, the inmate may receive emergency treatment at the nearest private medical facility. As soon as practicable, the inmate should be transferred to a facility operated by the state's charity hospital system. Notwithstanding any law to the contrary, all payments to private hospitals or health care providers shall be governed by R.S. 15:824(B)(1)(c). No monies appropriated to the department from the state general fund or from dedicated funds shall be used for medical costs associated with organ transplants for inmates or for the purposes of providing cosmetic medical treatment of inmates, unless the condition necessitating such treatment or organ transplant arises or results from an accident or

1	situation which was the fault of the department or resulted from an action or lack of			
2	action on the part of the department. However, nothing in this Section shall prohibi			
3	an inmate from donating his vital organs for transplant purposes.			
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	SPEAKER OF THE HOUSE OF REPRESENTATIVES			
	PRESIDENT OF THE SENATE			
	GOVERNOR OF THE STATE OF LOUISIANA			

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APPROVED: