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## DIGEST

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HB 356 Reengrossed

2019 Regular Session

Henry

**Abstract:** Provides relative to visits of the immediate family of an inmate who sustains serious bodily injury and is admitted to a medical facility.

Present law provides that the secretary of DPS&C may authorize visits and correspondence under reasonable conditions between inmates and approved friends, relatives, and other persons.

Proposed law retains present law.

Present law provides that if an inmate sustains serious bodily injury that requires admittance to an intensive care unit (ICU) or trauma center, the warden or other governing authority of the correctional facility, jail, or other detention facility must attempt to notify the inmate's immediate family within eight hours of the medical decision to transport the inmate to the ICU or trauma center.

Present law further provides that if an inmate sustains serious bodily injury that requires admittance to an ICU or trauma center, a member of the inmate's immediate family must be granted visitation with the inmate for the duration of the inmate's admission to the ICU or trauma center, unless the warden or other governing authority of the inmate's correctional facility, jail, or other detention facility provides written notice, within six hours of the inmate's admission to the ICU or trauma center, to any immediate family member seeking visitation on why such visitation cannot be granted.

Proposed law changes the references of "intensive care unit" and "trauma center" to "medical facility". Further requires visits to be granted daily for the duration of the inmate's admission to the medical facility, unless notice is provided to any immediate family of the inmate as to why such visitation cannot be granted pursuant to present law.

Proposed law further requires the visitation to follow all security procedures and policies of the correctional facility, jail, or other detention center and the medical facility where the inmate is being housed.

Present law provides for definitions of "immediate family" and "serious bodily injury".

Proposed law amends the present law definitions to read as follows:

- (1) "Serious bodily injury" means bodily injury that involves protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

- (2) "Immediate family" means a spouse, child, parent, stepparent, sibling, stepsibling, grandchild, or grandparent of the inmate. If all persons defined as "immediate family" are deceased, then the term shall also include siblings of the inmate's parents.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:833(A)(1)(b) and (c)(i), (ii), and (iii); Adds R.S. 15:833(A)(1)(c)(vi))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Change present law references of "intensive care unit" and "trauma center" to "medical facility".
2. Reinstate the present law definition of "serious bodily injury" but amend the definition to exclude unconsciousness and extreme physical pain.
3. Reinstate the present law definition of "immediate family" but amend the definition to include siblings of the inmate's parents under certain circumstances.
4. Require the visitation to follow all security procedures and policies of the correctional facility, jail, or other detention center and the medical facility where the inmate is housed.