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## DIGEST

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HB 828 Original

2026 Regular Session

Jordan

**Abstract:** Creates the Correctional Medical Review Bd. to investigate in-custody deaths of inmates.

Proposed law creates the Correctional Medical Review Bd. and tasks the board with each inmate death that occurs at a correctional facility in the state of La.

Proposed law lists the members of the board and by whom they are appointed.

Proposed law requires the warden or facility administrator of every facility to notify the board within two hours of the confirmed time of death of an inmate.

Proposed law provides for the contents of a notification to the board and consequences for a late notification.

Proposed law grants powers to the board when conducting a review, including to compel the production of records, to interview staff, medical personnel, witnesses, or other persons and to subpoena such individuals, to conduct unannounced inspections, to retain medical experts, and to request previous incident reports made by the board.

Proposed law provides that in cases where the cause of death is in dispute, unclear, or involves allegations of staff misconduct, the board may order an independent autopsy.

Proposed law requires the board to issue a written report within 60 days of initiating a review.

Proposed law requires the board to include in the review a summary of the circumstances of death, a determination as to whether the correctional facility complied with proposed law, a determination of whether staff failed to render aid, delayed response, or falsified records, and any systemic findings

Proposed law allows the board to extend the review by 30 days with written notice stating the reason for extension.

Proposed law requires the board to refer the matter to the attorney general and district attorney where the facility is located if it determines there is probable cause for a criminal violation.

Proposed law requires the board to notify the U.S. Dept. of Justice, Civil Rights Division, if it determines that a civil rights violation may have occurred.

Proposed law requires the board to notify the relevant professional licensing board if it finds that a licensed healthcare profession did not meet the applicable standard of care.

Proposed law provides that the board's reports are public records and that witnesses who request confidentiality shall be redacted from the reports.

Proposed law requires the board to publish an annual summary report including the number of deaths reviewed, findings, referrals, and corrective actions taken or pending.

Proposed law provides rights to the immediate family members of the decedent, including the right to review the board's findings within five business days, submit written statements to the board, and appear before the board during public hearings.

Proposed law prohibits retaliation against inmates, staff members, and witnesses.

Proposed law provides for appropriation of funds to support the board and its full-time staff.

Proposed law directs the Dept. of Public Safety and Corrections and the board to adopt rules and regulations for implementing proposed law.

Proposed law (R.S. 15:1199.44(M) and 1199.45) relative to staffing, appropriations, and rulemaking becomes effective upon signature of the governor or lapse of time for gubernatorial action.

The remaining provisions of proposed law become effective on Jan. 1, 2027.

(Adds R.S. 15:1199.44 and 1199.45)