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## DIGEST

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HB 356 Original

2019 Regular Session

Henry

**Abstract:** Provides relative to visits of immediate family members of an inmate who sustains serious bodily injury and is admitted to an intensive care unit.

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 removes the references to trauma centers from present law. Further requires visits to be granted daily for the duration of the inmate's admission to the ICU, unless notice is provided to any immediate family member of the inmate as to why such visitation cannot be granted pursuant to present law.

Proposed law provides that the visitation of the inmate's immediate family may be supervised, and may be revoked if any immediate family member possesses any item of contraband during the visitation.

Proposed law further requires the visitation to follow the policies and procedures of both the correctional facility where the inmate was incarcerated at the time he sustained the serious bodily injury and those of the medical facility where he is being treated.

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

Proposed law retains the present law definition of "immediate family" and amends the present law

definition of "serious bodily injury" to read as follows: bodily injury that involves protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

Present law requires the secretary of DPS&C to establish and promulgate rules, regulations, and procedures regarding the review and inspection of all incoming and outgoing death row inmate correspondence.

Proposed law retains present law.

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

(Amends R.S. 15:833(A))