

RÉSUMÉ DIGEST

ACT 283 (HB 356)

2019 Regular Session

Henry

Existing law provides that the secretary of the Department of Public Safety and Corrections may authorize visits and correspondence under reasonable conditions between inmates and approved friends, relatives, and other persons.

Existing 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.

Existing 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.

New law retains existing law application with respect to inmates admitted to an ICU and amends existing law to apply to inmates admitted to a "medical facility" rather than a "trauma center". Further requires visits to be granted daily for the duration of the inmate's admission to the ICU or medical facility, unless notice is provided to any immediate family of the inmate as to why such visitation cannot be granted pursuant to existing law.

New 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.

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

New law amends the existing law definitions to read as follows:

- (1) "Serious bodily injury" means 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.
- (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 governor (June 11, 2019).

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