

March 22, 2007

S 1480. MEDICAL RELEASE FOR ILL AND DISABLED INMATES. Filed 3/22/07. *TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC.*

As title indicates, enacts new Article 84B of GS Chapter 15A to require the Post-Release Supervision and Parole Commission to establish a medical release program for eligible inmates (as indicated in title). Excludes certain persons from eligibility. Establishes procedures for medical release. Allows the Commission to set reasonable conditions on an inmate's medical release, and allows for revocation for violating those conditions or for a change in medical status.

Intro. by Rand.

GS 15A

May 15, 2007

S 1480. MEDICAL RELEASE FOR ILL AND DISABLED INMATES. Filed 3/22/07. Senate committee substitute makes the following changes to 1st edition. Modifies GS 15A-1369 to clarify definitions for terms used in GS Chapter 15A, Article 84B, Medical Release of Inmates. Adds a definition for *Medical Release Plan*. Modifies GS 15A-1369.2 to provide that except as otherwise provide in the section, eligibility for medical release is to be based on the determination of the Department of Corrections (DOC). Adds an eligibility requirement that to be eligible for release, the DOC must determine that the inmate is incapacitated to the extent that the inmate does not pose a public safety risk. Modifies GS 15A-1369.3 by deleting the requirement for a review by an independent licensed physician of an inmate meeting the eligibility requirements for medical release. Directs DOC to complete its risk assessment and forward its referral and medical release plan for an eligible inmate to the Post-Release Supervision and Parole Commission (Commission) within 45 days after receiving a request or recommendation for release (was, within 30 days). Requires the Commission to make an independent assessment of the risk for violence and recidivism and to provide an opportunity for victims or victims' family members to be heard in the process of making its determination of whether to grant medical release. Modifies GS 15A-1369.4(a)(1) regarding conditions of medical release. Modifies GS 15A-1369.5 to require (was, allow) the Commission to order the inmate returned to the custody of the DOC to await a revocation hearing if a medical assessment reveals that the inmate released on medical leave has improved to the extent that the inmate would not be eligible for medical release if being considered at that time. Requires (was, allows) the Commission to consider the most recent medical assessment of the inmate and a risk assessment of the inmate in determining whether to revoke the medical release. Makes technical changes.

May 21, 2008

S 1480. MEDICAL RELEASE FOR ILL AND DISABLED INMATES. Filed 03/26/07. House committee substitute makes the following changes to 2nd edition. Modifies the definition of "medical release plan," to require documentation that qualified medical providers are prepared to provide the services and to also require the plant to address the inmate's insurance eligibility. Requires the Post-Release Supervision and Parole Commission to set conditions upon an inmate's medical release to apply through the end of the inmate's sentence (second edition would have permitted Commission to apply conditions for a lesser period of time). Adds to the conditions to be imposed that the released inmate must comply with the release plan and conditions set by the Commission, and that the released inmate shall be subject to the supervision of the Division of Community Corrections. Requires Commission to order an inmate returned to custody to await a revocation hearing if the Commission receives credible information that the inmate has failed to comply with conditions of medical release.

June 10, 2008

SL 2008-2 (S 1480). MEDICAL RELEASE FOR ILL AND DISABLED INMATES. AN ACT TO DIRECT THE DEPARTMENT OF CORRECTION AND THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION TO PROVIDE FOR MEDICAL RELEASE OF

NO-RISK INMATES WHO ARE EITHER PERMANENTLY AND TOTALLY DISABLED, TERMINALLY ILL, OR GERIATRIC. Summarized in *Daily Bulletin* 3/22/07, 5/15/07, and 5/21/08. Enacted June 10, 2008. Effective June 10, 2008.