

Department of Planning and Budget
2016 Fiscal Impact Statement

1. Bill Number: SB 350

House of Origin	<input checked="" type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

2. Patron: Deeds

3. Committee: Rehabilitation and Social Services

4. Title: Prisoners incapable of giving consent

5. Summary:

Under current law, a court, upon petition from the Department of Corrections (DOC), may authorize the agency to treat an inmate who is incapable of giving informed consent to the treatment. The law requires that the order direct the licensed physician, psychiatrist, or clinical psychologist who is treating the inmate to report to the court and the inmate's attorney any change in the inmate's condition resulting in restoration of the prisoner's capability to consent prior to completion of the authorized treatment.

The proposed legislation would authorize DOC to use a professional counselor or a clinical social worker, in addition to the medical professionals listed in the statute, to treat the inmate and report on the inmate's progress to the court.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: See Item 8 below.

8. Fiscal Implications:

It is not anticipated that the proposed legislation will have any fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Department of Corrections

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 1/25/2016

Document: G:\LEGIS\fis-16\sb350.docx Dick Hall-Sizemore