88R9204 MZM-D

By:  Klick H.B. No. 3739

A BILL TO BE ENTITLED

AN ACT

relating to the medical transportation and care for certain inmates in the Texas Department of Criminal Justice.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Subchapter B, Chapter 501, Government Code, is amended by adding Sections 501.0515 and 501.071 to read as follows:

Sec. 501.0515.  PROCEDURES FOR TRANSPORTATION OF FEMALE INMATES FOR MEDICAL CARE. The department shall establish procedures to be used during the regularly scheduled transportation of female inmates for nonemergency medical care to The University of Texas Medical Branch at Galveston or another medical facility that provides medical services for inmates. The procedures must:

(1)  prohibit the use of restraints around the ankles, legs, wrists, or waist of a female inmate in a manner that connects the inmate to another inmate;

(2)  prohibit a correctional officer from conducting an invasive body cavity search of a female inmate unless the officer has a reasonable belief that the inmate is concealing contraband;

(3)  require a correctional officer who conducts a search described by Subdivision (2) to submit a written report to the warden in the manner prescribed by Section 501.0665(b);

(4)  allow female inmates to bring toilet paper and feminine hygiene products as defined by Section 501.0675;

(5)  ensure that female inmates receive sufficient food;

(6)  ensure that facilities used to house female inmates overnight while being transported have an adequate number of beds for the inmates being transported; and

(7)  ensure that buses used to transport female inmates are equipped with bathrooms that have ergonomically designed toilets and afford privacy to the user.

Sec. 501.071.  ACCESS TO TELEMEDICINE AND TELEHEALTH SERVICES AND ON-SITE MEDICAL CARE. The department, in conjunction with The University of Texas Medical Branch at Galveston and the Texas Tech University Health Sciences Center, shall establish procedures to increase opportunities and expand access to telemedicine medical services and telehealth services, as those terms are defined by Section 111.001, Occupations Code, and on-site medical care for inmates, including on-site mobile care units that provide diagnostic imaging, physical therapy, and other appropriate mobile health services.

SECTION 2.  Not later than December 1, 2023, the Texas Department of Criminal Justice shall establish the procedures required by Sections 501.0515 and 501.071, Government Code, as added by this Act.

SECTION 3.  Not later than December 1, 2024, the Texas Department of Criminal Justice shall submit a report to the legislature on the department's progress in increasing opportunities and expanding access to telemedicine medical services and telehealth services and on-site medical care for inmates under Section 501.071, Government Code, as added by this Act, including a summary of the procedures established under that section and the number of inmates who received services or care under those procedures.

SECTION 4.  This Act takes effect September 1, 2023.