

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

1 food;

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

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

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

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

22 SECTION 3. Not later than December 1, 2024, the Texas
23 Department of Criminal Justice shall submit a report to the
24 legislature on the department's progress in increasing
25 opportunities and expanding access to telemedicine medical
26 services and telehealth services and on-site medical care for
27 inmates under Section 501.071, Government Code, as added by this

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1 Act, including a summary of the procedures established under that
2 section and the number of inmates who received services or care
3 under those procedures.

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