

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 588

SHORT TITLE: Medical Release/Older Prisoners

SPONSOR(S): Representative Ives

FISCAL IMPACT:	Expenditures:	Increase ()	Decrease ()
	Revenues:	Increase ()	Decrease ()
	No Impact (X)		

BILL SUMMARY: "TO AUTHORIZE THE DEPARTMENT OF CORRECTION TO PROVIDE MEDICAL RELEASE FOR LOW-RISK OLDER INMATES." Adds new G.S. 15A, article 84B, providing generally for the Post-Release Supervision and Parole Commission to establish a program to allow the department to release low-risk older inmates who are either permanently incapacitated or terminally ill. Provides that eligible inmates must be at least 55 years of age and either diagnosed as permanently incapacitated or terminally ill under a risk assessment procedure outlined in bill. Directs Commission to consider an inmate for medical release upon request filed by inmate and departmental recommendation. Directs that risk assessment be based upon examination conducted by physician within 10 working days after receiving inmate application or department recommendation. Directs department to assess risk for violence and recidivism that the inmate poses to society based on inmate's medical condition, the severity of the inmate's offense, the inmate's prison record, and the release plan. Requires assessment to be completed within 10 days after completion of medical diagnosis and department referral to the Commission to be made within 10 days after assessment completed. Requires that term of an inmate on medical release shall be for remainder of the sentence without any diminution of sentence for good behavior, but denial of release does not affect inmate's eligibility for parole. Authorizes commission to set reasonable conditions upon release, including requirements that released inmate be placed in a hospital, hospice, or other institution, or that inmate submit to periodic medical examinations. Permits Commission to revoke release if inmate fails to comply with conditions. If it does, inmate returned to department's custody to serve balance of sentence with credit given only for time served in compliance with conditions. Provides that revocation of release may be considered in determining eligibility for parole. Provides also for revocation of release if inmate's health or condition has improved.

EFFECTIVE DATE: July 1, 1995

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Branch;
Department of Correction

FISCAL IMPACT

FY 95-96 FY 96-97 FY 97-98 FY 98-99
FY99-00

EXPENDITURES

RECURRING NO FISCAL IMPACT

NON-RECURRING

ASSUMPTIONS AND METHODOLOGY:

It is not anticipated that the proposed legislation would have a fiscal impact on the Department of Correction, Department of Adult Probation and Parole, or the Parole Commission as only a very small number of individuals would meet the requirements for medical release.

SOURCES OF DATA: Administrative Office of the Courts; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION (733-4910)

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DATE: May 1, 1995

[FRD#003]



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