



General Assembly

January Session, 2007

Raised Bill No. 6987

LCO No. 3577

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Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE RIGHTS OF INMATES WITH MENTAL ILLNESS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) Any inmate confined
2 in a correctional facility of the Department of Correction who has been
3 diagnosed with a mental illness, including any mental illness in a state
4 of remission when the illness may, with reasonable medical
5 probability, become active, or who develops a mental illness while so
6 confined or is determined to be at risk for developing a mental illness,
7 shall receive individualized, clinically appropriate and culturally
8 competent mental health services to assess and treat such inmate's
9 condition. The Commissioner of Correction shall ensure that such
10 mental health services are provided in accordance with, but are not
11 limited to, the following standards:

12 (1) Inmates shall have the opportunity to submit confidential
13 written requests for mental health services seven days a week and to
14 be interviewed by qualified mental health professionals and mental
15 health staff in a setting that provides reasonable privacy from being
16 overheard by other inmates and custodial staff who are not mental

17 health staff members;

18 (2) No inmate shall be given any prescription for psychotropic
19 medication for the treatment of a mental illness without a prior, face-
20 to-face interview with a psychiatrist licensed to practice medicine in
21 this state or an advanced practice registered nurse acting under such
22 psychiatrist's supervision, except when exigent circumstances exist or
23 the inmate refuses to participate in such face-to-face interview;

24 (3) Any inmate who remains under close or continuous observation
25 for suicide prevention or any other mental health intervention for
26 more than seventy-two hours shall be transferred on an emergency
27 basis to a correctional facility that provides specialized mental health
28 services;

29 (4) No inmate with a mental illness shall be transferred from a
30 correctional facility that provides specialized mental health services to
31 a correctional facility that does not provide such services unless an
32 individualized assessment conducted by a psychiatrist licensed to
33 practice medicine in this state documents that such transfer is clinically
34 appropriate for such inmate;

35 (5) All custodial staff members at each correctional facility shall
36 receive not less than sixteen hours of training on mental health issues
37 each year. Such training shall consist of classroom instruction and
38 written materials provided by qualified mental health professionals or
39 a training academy accredited by the American Correctional
40 Association, and shall include, at a minimum: (A) Prevention of
41 suicide and self-injury; (B) recognition of signs of mental illness; (C)
42 communication skills for interacting with inmates with mental illness;
43 and (D) alternatives to disciplinary action and the use of force when
44 dealing with inmates with mental illness;

45 (6) Before engaging in the use of force against an inmate housed in a
46 designated mental health facility or unit of a correctional facility, a
47 clinical intervention with such inmate shall be attempted by a qualified

48 mental health professional, acting in consultation, if feasible, with a
49 doctoral-level mental health clinician; and

50 (7) Before disciplinary action is taken against an inmate housed in a
51 designated mental health facility or unit of a correctional facility, a
52 qualified mental health professional shall be consulted to determine
53 whether: (A) The behavior for which such disciplinary action is to be
54 taken is a result of the inmate's mental illness; and (B) taking such
55 disciplinary action would aggravate the inmate's mental illness.

56 (b) Before the release of any inmate with a mental illness from a
57 correctional facility, the Department of Correction shall collaborate
58 with the Judicial Department, the Department of Social Services and
59 the Department of Mental Health and Addiction Services as necessary
60 to ensure that the inmate will have access to housing, mental health
61 treatment services, any public benefits for which the inmate is eligible
62 and employment counseling upon the inmate's release.

63 (c) Each inmate housed at a level five maximum security
64 correctional facility shall be interviewed by a mental health clinician
65 not less than four times each year.

66 (d) The Commissioner of Correction shall provide an adequate
67 number of mental health staff members at the Janet S. York
68 Correctional Institution, Niantic, the Northern Correctional Institution,
69 Somers, the John R. Manson Youth Institution, Cheshire, and all intake
70 facilities of the Department of Correction. Such mental health staff
71 members shall be trained by a qualified mental health professional and
72 shall be available to inmates with mental illness who are housed at
73 such institutions or assessed at such intake facilities.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	New section

Statement of Purpose:

To ensure that adequate mental health services are provided to inmates with mental illness and that the rights of such inmates are protected.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]