



General Assembly

Amendment

January Session, 2019

LCO No. 10229



Offered by:
SEN. WINFIELD, 10th Dist.

To: Subst. Senate Bill No. 1110

File No. 766

Cal. No. 369

"AN ACT CONCERNING ACCESS TO RECORDS BY PERSONS WHO ARE INJURED WHILE IN THE CUSTODY OF THE COMMISSIONER OF CORRECTION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2019*) An inmate, his or her
4 legal representative or the legal representative of the estate of an
5 inmate, who provides a written request for documents to the
6 Department of Correction in connection with a fatal injury suffered by
7 the inmate while incarcerated or an injury that resulted in the inmate
8 suffering a permanent disability while incarcerated, may request
9 documents in the possession of the Department of Correction that are
10 relevant to such injury. The Department of Correction shall ensure that
11 such documentary materials are provided to the inmate, his or her
12 legal representative or the legal representative of the estate of an
13 inmate not later than sixty days after the date of receipt of the written
14 request, unless the disclosure of the documentary materials could pose
15 a risk to safety and security, violates a common law privilege, or is

16 prohibited by state or federal law. If an inmate dies while incarcerated
 17 or becomes incapacitated due to an injury suffered while incarcerated,
 18 the Department of Correction shall notify the inmate's designated next
 19 of kin of the inmate's death or incapacitation, unless providing such
 20 notification is not consistent with any prior expressed preference of the
 21 inmate that has been made known to the Department of Correction.
 22 The Department of Correction shall adopt regulations in accordance
 23 with the provisions of chapter 54 of the general statutes to implement
 24 the provisions of this section. Such regulations shall include (1) a
 25 process for resolving any dispute concerning the production of
 26 documentary materials by the Department of Correction under this
 27 section, (2) a delineation of the fees, if any, that the Department of
 28 Correction may impose when complying with a request for
 29 documentary materials under this section, and (3) the circumstances
 30 under which the deadline for production of documents may be
 31 extended beyond sixty days.

32 Sec 2. (NEW) (*Effective October 1, 2019*) The Department of
 33 Correction shall post on its Internet web site and in all of its medical
 34 units notice informing the inmate that he or she is required to sign a
 35 release of information if the inmate wishes the inmate's family or
 36 emergency contact to have access to the inmate's medical information.
 37 The department shall post the release of information form on its
 38 Internet web site and shall be make such form available upon request
 39 in all of the department's medical units. The department shall develop
 40 a "frequently asked questions" document that details the steps
 41 involved in investigating an inmate fatality or permanent injury and
 42 includes all relevant forms and contact information. The department
 43 shall post the "frequently asked questions" document on its Internet
 44 web site and shall make such document available upon request in all
 45 of the department's medical units."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section

Sec 2	October 1, 2019	New section
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