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HOUSE COMMITTEE REPORT

(7)

Date Referred: March 1, 1993

FURTHER REFERRALS:

Finance

Date of Committee Action: 3-19-93

The JUDICIARY Committee considered:

HB 137

HOUSE BILL NO. 137

PAROLE OF TERMINALLY ILL PRISONERS

"An Act authorizing special medical parole for terminally ill prisoners."

RECOMMENDATIONS:

be replaced with CS HB 137 (JUD) the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note DEPT. OF CORR. 2-22-93

zero fiscal note(s) DEPT. OF CORR. 2-22-93

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
Brian Porter	✓				
Gail Phillips	✓				
Ann Poole	✓				
Jeanette James	✓				
Pete [unclear]	✓				
[unclear]	✓				

Brian Porter
CHAIRMAN'S SIGNATURE

8-LS0553E
Luckhaupt
3/19/93

CS FOR HOUSE BILL NO. 137(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered:
Referred:

Sponsor(s): REPRESENTATIVE MULDER

A BILL

FOR AN ACT ENTITLED

1 "An Act authorizing special medical parole for terminally ill prisoners."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 33.16.010(d) is amended to read:

4 (d) A prisoner released on special medical, discretionary, or mandatory parole
5 is subject to the conditions of parole imposed under AS 33.16.150. Parole may be
6 revoked under AS 33.16.220.

7 * Sec. 2. AS 33.16.010 is amended by adding a new subsection to read:

8 (e) A prisoner eligible under AS 33.16.085 may be released on special medical
9 parole by the Parole Board.

10 * Sec. 3. AS 33.16.060 is amended to read:

11 Sec. 33.16.060. DUTIES OF THE BOARD. (a) The board shall

12 (1) serve as the parole authority for the state;

13 (2) upon receipt of an application, consider the suitability for parole of
14 a prisoner who is eligible for special medical or discretionary parole;

1 (3) impose parole conditions on all prisoners released under
2 discretionary or mandatory parole;

3 (4) under AS 33.16.210, discharge a person from parole when custody
4 is no longer required;

5 (5) maintain records of the meetings and proceedings of the board;

6 (6) recommend to the governor and the legislature changes in the law
7 administered by the board;

8 (7) recommend to the governor or the commissioner changes in the
9 practices of the department and of other departments of the executive branch necessary
10 to facilitate the purposes and practices of parole;

11 (8) upon request of the governor, review and recommend applicants for
12 executive clemency; and

13 (9) execute other responsibilities prescribed by law.

14 (b) The board shall adopt regulations under the Administrative Procedure Act
15 (AS 44.62)

16 (1) establishing standards under which the suitability of a prisoner for
17 special medical or discretionary parole shall be determined;

18 (2) providing for the supervision of parolees and for recommitment of
19 parolees; and

20 (3) governing procedures of the board.

21 * Sec. 4. AS 33.16 is amended by adding new sections to read:

22 Sec. 33.16.085. SPECIAL MEDICAL PAROLE. (a) Notwithstanding a
23 presumptive, mandatory, or mandatory minimum term a prisoner may be serving or
24 any restriction on parole eligibility under AS 12.55, a prisoner who is serving a term
25 of at least 181 days, may, upon application by the prisoner or the commissioner and
26 in the discretion of the board, be released on special medical parole if the board
27 determines that

28 (1) the prisoner is suffering from a terminal illness; and

29 (2) a reasonable probability exists that

30 (A) the prisoner will live and remain at liberty without violating
31 any laws or conditions imposed by the board;

1 (B) the prisoner will not pose a threat of harm to the public if
2 released on parole; and

3 (C) release of the prisoner on parole would not diminish the
4 seriousness of the crime.

5 (b) If the board finds a change in circumstances or discovers new information
6 concerning a prisoner who has been granted a special medical parole release date, the
7 board may rescind or revise the previously granted parole release date.

8 (c) The board shall issue its decision to grant or deny special medical parole.
9 or to rescind or revise the release date of a prisoner granted special medical parole, in
10 writing and provide a basis for the decision. A copy of the decision shall be provided
11 to the prisoner.

12 Sec. 33.16.087. RIGHTS OF CERTAIN VICTIMS IN CONNECTION WITH
13 SPECIAL MEDICAL PAROLE. (a) If the victim of a crime against a person or
14 arson in the first degree requests notice of a scheduled hearing to review or consider
15 special medical parole for a prisoner convicted of that crime, the board shall send
16 notice of the hearing to the victim at least 30 days before the hearing. The notice
17 must be accompanied by a copy of the prisoner's or commissioner's application for
18 parole submitted under AS 33.16.085. However, the copy of the application sent to
19 the victim may not include the prisoner's proposed residence and employment
20 addresses.

21 (b) A victim who requests notice under this section shall maintain a current,
22 valid mailing address on file with the board. The board shall send the notice required
23 by this section to the last known address of the victim. The victim's address may not
24 be disclosed to the prisoner or the prisoner's attorney.

25 (c) The victim has a right to attend meetings of the parole board in which the
26 status of the prisoner convicted of the crime against that victim is officially
27 considered and to comment, in writing or in person, on the proposed action of the
28 board. Copies of any written comments shall be provided to the prisoner and the
29 prisoner's attorney before action by the board.

30 (d) The board shall consider the comments presented under (c) of this section
31 in deciding whether to release the prisoner on special medical parole.

1 (e) If the victim requests, the board shall make every reasonable effort to
2 notify the victim as soon as practicable in writing of its decision to grant or deny
3 special medical parole. The notice under this subsection must include the expected
4 date of the prisoner's release, the geographic area in which the prisoner is required to
5 reside, and other pertinent information concerning the prisoner's conditions of parole
6 that may affect the victim.

7 * Sec. 5. AS 33.16.140 is amended to read:

8 Sec. 33.16.140. ORDER FOR PAROLE. An order for parole issued by the
9 board, setting out the conditions imposed under AS 33.16.150(a) and (b) [,] and the
10 date parole custody ends, shall be furnished to each prisoner released on special
11 medical, discretionary, or mandatory parole.

12 * Sec. 6. AS 33.16.150(a) is amended to read:

13 (a) As a condition of parole, a prisoner released on special medical,
14 discretionary, or mandatory parole shall refrain from conduct punishable by
15 imprisonment under state or federal law or municipal ordinance.

16 * Sec. 7. AS 33.16.150(b) is amended to read:

17 (b) The board may require as a condition of special medical, discretionary, or
18 mandatory parole that a prisoner released on parole

- 19 (1) meet family obligations;
- 20 (2) pursue employment, education, counseling, or training;
- 21 (3) remain within stated geographic limits unless written permission to
22 depart from the stated limits is granted the parolee;
- 23 (4) report upon release to the parole officer assigned to the parolee;
- 24 (5) report as required to the parole officer assigned to the parolee;
- 25 (6) reside at a stated place and notify the board of any change in place
26 of residence;
- 27 (7) not possess or control firearms or other dangerous weapons;
- 28 (8) refrain from possessing or consuming alcoholic beverages;
- 29 (9) submit to reasonable searches and seizures by a parole officer [,]
30 or a peace officer acting under the direction of a parole officer;
- 31 (10) submit to appropriate medical, mental health, or controlled



ALASKA STATE LEGISLATURE HOUSE OF REPRESENTATIVES

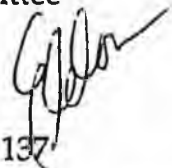
REPRESENTATIVE ELDON MULDER
DISTRICT 23 MULDOON-FT. RICHARDSON

- CHAIR -
LEGISLATIVE COUNCIL

- CO-CHAIR -
HOUSE SPECIAL COMMITTEE ON
MILITARY AND VETERANS AFFAIRS

- CO-CHAIR -
MILITARY AFFAIRS FOR
ANCHORAGE CAUCUS

MEMORANDUM

DATE: March 2, 1993
TO: Representative Brian Porter
Chair, House Judiciary Committee
FROM: Representative Eldon Mulder 
SUBJECT: House Bill 136 and House Bill 137

I would like to request that House Bills 136 and 137 be scheduled at your earliest convenience for hearings by the House Judiciary Committee.

House Bill 136 relates to ~~DWI offenses~~. This bill has the support of the Department of Corrections, the Alaska Sentencing Commission, and MADD. Current sentencing practices for ~~DWI offenses~~ are not working; I believe we need to investigate some alternatives.

- * House Bill 137 pertains to special medical parole for terminally ill prisoners. This bill would allow the parole board the discretion to grant special medical parole to those who are terminally ill and do not pose a threat to society. Passage of this bill would help relieve the Department of Corrections from these huge medical costs by allowing them to be picked up by Medicare or Medicaid. House Bill 137 also has the support of the Department of Corrections and the Alaska Sentencing Commission.

These bills would both save the State of Alaska money and address the prison overcrowding issue currently facing us. I hope HB 136 and HB 137 will have your support.

Please find back-up material for both of these bills attached.

Rep. Brian Porter, Chairman

House Judiciary Committee

Date: March 19, 1993

Place: Capitol Room 120

HB 113 Charitable & Telephonic Soliciting
 HB 67 Eligibility for Public Assistance
 HB 138 Limited Driver's Licenses (cancelled)

Subject of Meeting: HB 136 Drunk Driving/Breath Test
 HB 137 Parole/Terminally Ill Prisoners

Please Print Name	Representing	Business/Personal Mailing Address	Zip	(H) Phone	(W) Phone	Do you Want to Testify?	Which Subject/ Which Bill?
Ruth Gulyas	OAC	PO Box C	99811		465 3250	(Y) N	HB 67
Rick Colman	Boards, Boards	Box T	99803		465-3364	(Y) N	HB 137
Dana LaTour	Corrections				465-3454	Y (N)	HB 136 to observe or HB 137 answer questions
Margot Knuth	Law - Crim	110300			465-4049	Y (Q) N	HB 136 questions
Juanita Hensley	DPS/DMV	Box 11120	99802		465-4335	Y (Q) N	HB 136 /
JAN HANSEN	DHS / MPA				465-2682	(Y) N	HB 67
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	

SPONSOR STATEMENT
Representative Eldon Mulder

House Bill 137

House Bill 137 relates to special medical parole for terminally ill prisoners. The Department of Corrections is responsible for inmates' medical costs as long as they remain in custody. Covering health costs is a serious financial burden, particularly when a terminal illness is involved.

This bill would give the parole board the discretion to grant special medical parole for terminally ill patients that it determines are not a threat to society. Once paroled, their medical costs are picked up by Medicare or Medicaid, thus easing the financial burden on the Department of Corrections.

Passage of this bill would save the State of Alaska a substantial amount of money. I urge you to support House Bill 137.

Sponsor Statement

Sectional Analysis for HB 137

Section 1.

Adds the language "special medical" to AS 33.16.010(d).

Section 2.

Adds a new subsection to AS 33.16.010 to allow someone who is eligible to be released on special medical parole by the Parole Board under new AS 33.16.085.

Section 3.

Amends AS 33.16.060, relating to the duties of the parole board, to include considering the suitability of a prisoner who is eligible for special medical parole and, relating to the board adopting regulations under the Administrative Procedures Act, to establish standards for the suitability of a prisoner for special medical parole.

Section 4.

Adds a new section to AS 33.16 pertaining to special medical parole. Allows the Board to grant special medical parole to a prisoner who is serving a term of at least 181 days and is determined by the board to have a terminal illness.

Section 5.

Adds the language "special medical" to AS 33.16.140, pertaining to the order for parole.

Section 6.

Adds the language "special medical" to AS 33.16.150(a).

Section 7.

Adds the language "special medical" to AS 33.16.150(b), relating to the board's conditions of parole.

Section 8.

Adds the language "special medical" to AS 33.16.200, relating to custody of a parolee.

Section 9.

Amends AS 33.16.900 by adding a new paragraph defining "special medical parole."

DEPARTMENT OF CORRECTIONS
POSITION PAPER

2-22-93

HB137 "An Act authorizing special medical parole for terminally ill prisoners."

The Alaska Sentencing Commission has recommended that parole statutes be amended to allow special medical parole for terminally ill offenders. The Commission's report found that many offenders have serious medical problems that cost the department a significant amount of money each year. The Commission expressed concern that as the inmate population ages and as the number of HIV infected inmates increase the department will face even higher inmate health care costs.

Currently, the Department can furlough a terminally ill person, but it will still be responsible for medical expenses. Medicare or Medicaid will step in only after the person has been released from DOC custody.

This legislation tries to establish a class of inmates who would be eligible for discretionary parole at an earlier date. The intention of this action is to reduce inmate medical costs.

Initially, there appears to be 8 - 10 offenders who might qualify for parole under the provisions of this bill. It should be noted that all inmates paroled under these provisions may not be eligible for government sponsored health care depending on their categorical qualification for Medicaid or their age and their resulting qualification for Medicare.

The Department will draft regulations and develop procedures for assessing inmate medical conditions and certifying parole eligibility.

The Department would like to see the bill expanded to include prisoners who suffer a chronic debilitating condition.

It is assumed that passage of this legislation may result in the parole of some terminally ill inmates who otherwise would not be paroled. However, there is no assurance that any or all of these inmates would be granted parole since that decision remains at the discretion of the Parole Board.

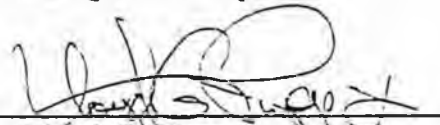
Current legal advice given to the Parole Board has severely restricted their ability to set appropriate parole conditions on terminally ill prisoners. This bill should be extended to address those issues.

Position Paper - Corrections

DEPARTMENT OF CORRECTIONS
POSITION PAPER HB137
Page 2

Department of Corrections medical staff have estimated that a terminally ill inmate in the final stages of life can cost up to \$500,000 per year for outside care. At this time, there is one inmate whose cost of care during the last 18 months has exceeded \$500,000.

While this bill could create considerable savings over the long run, most of these savings will come as cost avoidance. The Department cannot reflect an actual budgetary reduction from current budget levels, since its budget is not currently being heavily impacted by terminally ill offenders. However, as the inmate population ages, the impact of this legislation could be significant.



Lloyd G. Rupp
Commissioner



Alaska Sentencing Commission

1029 W. Third Avenue, Suite 201, Anchorage, Alaska 99501 (907) 279-2526 FAX (907) 276-5046

James V. Gould, Chair
Philip R. Volland, Vice Chair

Jayne E. Andreen
Richard L. Burton

Charles E. Cole
Hon. Beverly W. Cutler

Sen. Steve Frank
Lloyd G. Rupp

JoAnn Holmes
Hon. Warren W. Matthews

Gigi Pilcner
John Salem

Duane S. Udland
Rep. Fran Ulmer

February 9, 1993

FEB 15 1993

Representative Eldon Mulder
Alaska State Legislature
State Capitol
Juneau AK 99801-1182

FEB 15 1993

RE: HB 137; Special Medical Parole

Dear Representative Mulder:

I am writing about your proposed legislation on special medical parole. This legislation would implement the Sentencing Commission's recommendation that a special medical parole for terminally ill offenders be allowed in appropriate cases, in order to shift the huge medical costs in these cases from the state to the federal government. The Commission recommended:

Parole statutes should be amended to allow special medical parole for terminally ill offenders. Many offenders have serious medical problems that cost the Department of Corrections an extraordinary amount of money. The AIDS epidemic has not yet had a serious impact on Alaska prisons, but prison populations in some East Coast states are reported to be 40% HIV positive. In addition, there are a number of inmates serving long sentences who can be expected to grow old in prison.

DOC currently can furlough a terminally ill person, but it still will be responsible for medical expenses. Medicare or Medicaid will pick up the person's medical costs only upon release from DOC custody. The parole board should be allowed to grant parole to terminally ill offenders. DOC should study the offender population and devise a system to achieve this objective. This recommendation passed unanimously.

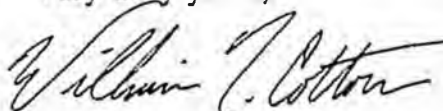
Alaska Sentencing Commission

Your legislation appears to be a measured response to the fiscal problem the Commission addressed. First, it creates a special medical parole for terminally ill prisoners. Second, it allows the parole board to limit use of the provision to offenders who will not pose a danger to society. Clearly, not all terminally ill prisoners would be appropriate candidates.

The need for legislation such as HB 137 is substantial now, and will increase as time goes by. My understanding is that the state has paid well over a half a million dollars for health care for two terminally ill prisoners in the last two years. We can expect these numbers to dramatically increase over the next few years, because of an aging prison population generally and because of AIDS.

On behalf of the Alaska Sentencing Commission, I would urge the Legislature to adopt legislation like HB 137 which allows special medical parole for appropriate terminally ill prisoners. Please feel free to call me if I can be of assistance.

Very truly yours,



William T. Cottrell
Executive Director

WTC:erm

HOUSE COMMITTEE REPORT

(9)

Date Referred: February 5, 1993

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 2-25-93

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 137

HOUSE BILL NO. 137

PAROLE OF TERMINALLY ILL PRISONERS

"An Act authorizing special medical parole for terminally ill prisoners."

RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title
 have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal impact _____ fiscal note(s) _____
 zero fiscal note corrections _____ zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Al Vegas</i>	✓	<i>None Noted</i>		X	
<i>Don Blundie</i>	✓				
<i>Gold</i>	✓				
<i>Haley Olberg</i>	✓				
<i>Betty David</i>	✓				
<i>Tom Bice</i>	✓				

Don Blundie

CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 137

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act authorizing special medical parole for BRU: Office of Public Advocacy
terminally ill" Component: Office of Public Advocacy
 Sponsor: Representative Mulder
 Requestor: House HESS COMPONENT SERIAL NO. 43

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHITA	0	0	0	0	0	0
Other	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: \$ None

ANALYSIS: (attach a separate page if necessary.)

Prepared By: Brant McGee, Public Advocate Phone: 274-1684
 Division: Office of Public Advocacy Date: _____

Approved by Commissioner: Nancy Bear Usera *NBUs* Date: 3/14/93
 Agency: Department of Administration

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 137

Revision Date: _____
Title: "An Act authorizing special medical parole for terminally ill prisoners . . ."
Sponsor: Representative Mulder
Requestor: _____

Department Affected: Administration
BRU: Public Defender Agency
Component: Public Defender Agency
COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program Receipts	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year (FY93) impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: John Salemi, Public Defender
Division: Public Defender Agency

Phone: 279-7541
Date: _____

Approved by Commissioner: Nancy Bear Usera
Agency: Administration

Date: 3/16/93

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FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

BILL NO. HB 137

Revision Date: _____ Dept. Affected: Corrections
 Title: "An Act authorizing special BRU: Statewide Programs
medical parole for terminally ill prisoners " Component: Inmate Health Care
 Sponsor: Rep. Mulder
 Requestor: Rep. Mulder COMPONENT SERIAL NO. 705

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
----------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis

Prepared by: Dana LaTour, Special Assistant *Dana LaTour* Phone: 465-3376
 Division: Office of the Commissioner Date: 2-22-93
 Approved by Commissioner: Lloyd G. Rudd *Lloyd G. Rudd* Date: 2-22-93
 Agency: Department of Corrections

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Fiscal Note Analysis

HB 137 "An Act authorizing special medical parole for terminally ill prisoners."

Page 2

It is assumed that passage of this legislation may result in the parole of some terminally ill inmates who otherwise would not be paroled. There are currently 8 - 10 inmates who could be considered terminally ill. However, there is no assurance that any or all of these inmates would be granted parole since that decision remains at the discretion of the Parole Board.

Department of Corrections medical staff have estimated that a terminally ill inmate in the final stages of life can cost up to \$500,000 per year for outside care. At this time, there is one inmate whose cost of care during the last 18 months has exceeded \$500,000.

While this bill could create considerable savings over the long run, most of these savings will come as cost aversion. Therefore, the Department cannot reflect an actual budgetary reduction from current budget levels in this fiscal note. As the inmate population ages, the impact of this legislation could be significant.

FISCAL NOTE

STATE OF ALASKA
1993 LEGISLATIVE SESSION

No. 1
Bill Version: HB 137
(H) Publish Date: 3/1/93

Revision Date: _____ Dept. Affected: Corrections
 Title: "An Act authorizing special BRU: Statewide Programs
medical parole for terminally ill prisoners " Component: Inmate Health Care
 Sponsor: Rep. Mulder
 Requestor: Rep. Mulder COMPONENT SERIAL NO. 705

Expenditures/Revenues: (Thousands of Dollars)

	FY94	FY95	FY96	FY97	FY98	FY99
OPERATING						
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MH/ITA						
Other						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: \$ -0-

ANALYSIS: (Attach a separate page if necessary)

See attached fiscal analysis

Prepared by: Dana LaTour, Special Assistant *[Signature]* Phone: 465-3376
 Division: Office of the Commissioner Date: 2-22-93
 Approved by Commissioner: Lloyd G. Rupp *[Signature]* Date: 2-22-93
 Agency: Department of Corrections

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HB 137

NO. 1

pg. 2 of 2

Fiscal Note Analysis

HB 137 "An Act authorizing special medical parole for terminally ill prisoners."

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It is assumed that passage of this legislation may result in the parole of some terminally ill inmates who otherwise would not be paroled. There are currently 8 - 10 inmates who could be considered terminally ill. However, there is no assurance that any or all of these inmates would be granted parole since that decision remains at the discretion of the Parole Board.

Department of Corrections medical staff have estimated that a terminally ill inmate in the final stages of life can cost up to \$500,000 per year for outside care. At this time, there is one inmate whose cost of care during the last 18 months has exceeded \$500,000.

While this bill could create considerable savings over the long run, most of these savings will come as cost aversion. Therefore, the Department cannot reflect an actual budgetary reduction from current budget levels in this fiscal note. As the inmate population ages, the impact of this legislation could be significant.