

**AN ACT CONCERNING STANDARDS FOR MEDICAL PAROLE BY  
THE BOARD OF PARDONS AND PAROLES.**

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

1 Section 1. Section 54-131a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 (a) The Board of Pardons and Paroles or a special panel appointed  
4 under section 54-131f may determine, in accordance with sections 54-  
5 131a to 54-131g, inclusive, when and under what conditions an inmate  
6 serving any sentence of imprisonment may be released on medical  
7 parole.

8 (b) The board or special panel may review, establish conditions for,  
9 rescind or revoke any parole release granted under (1) sections 54-131a  
10 to 54-131g, inclusive, as amended by this act, or (2) section 54-131k,  
11 revision of 1958, revised to 2024.

12 Sec. 2. Section 54-131b of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective October 1, 2024*):

14 (a) The Board of Pardons and Paroles or a special panel may release  
15 on medical parole any inmate serving any sentence of imprisonment,  
16 except an inmate convicted of a capital felony under the provisions of  
17 section 53a-54b in effect prior to April 25, 2012, or murder with special  
18 circumstances under the provisions of section 53a-54b in effect on or  
19 after April 25, 2012, who: [has been diagnosed pursuant to section 54-  
20 131c as suffering]

21 (1) Suffers from a terminal condition, disease or syndrome, diagnosed  
22 pursuant to section 54-131c, and is so debilitated or incapacitated by  
23 such condition, disease or syndrome that there is a reasonable  
24 probability that the inmate will not pose a risk to public safety; or

25 (2) Suffers from a condition, disease or syndrome that is not terminal,  
26 diagnosed pursuant to section 54-131c, and is so permanently physically  
27 or cognitively debilitated, incapacitated or infirm as a result of advanced  
28 age or as a result of the condition, disease or syndrome that there is a  
29 reasonable probability that the inmate will not pose a risk to public  
30 safety

31 (b) Prior to making a decision under subdivision (2) of subsection (a)  
32 of this section, the board or special panel shall consider:

33 (1) The inmate's prognosis and level of incapacitation as it relates to  
34 overall risk to the victim or the community;

35 (2) The inmate's release plan, including provision for health care; and

36 (3) Any written statement of a victim the board has received under  
37 subsection (c) of this section.

38 (c) (1) Prior to consideration of medical parole release by the board,  
39 except when a special panel is convened under 54-131f, the Office of  
40 Victim Services, within the Judicial Department, shall notify each victim  
41 of the crime for which the inmate is serving who is registered with the  
42 Office of Victim Services within the Judicial Department or registered  
43 with the Victim Services Unit within the Department of Correction, of  
44 the intent of the board to consider such parole release.

45 (2) A victim may submit a statement to the board concerning the  
46 inmate's application for release on medical parole.

47 (3) For the purposes of this section, "victim" means a victim, as  
48 defined in section 54-126a.

49 (d) Notwithstanding any provision of the general statutes to the  
50 contrary, the Board of Pardons and Paroles may release such inmate at  
51 any time during the term of such inmate's sentence.

52 Sec. 3. Section 54-131c of the general statutes is repealed and the  
53 following is substituted in lieu thereof (*Effective October 1, 2024*):

54        (a) A diagnosis that an inmate [is suffering] suffers from a terminal  
55 condition, disease or syndrome or a condition, disease or syndrome that  
56 is not terminal and was not diagnosed at the time of sentencing, shall be  
57 made by a physician licensed under chapter 370. [and]

58        (b) The diagnosis shall include, but need not be limited to:

59            (1) [a] A description of [such terminal] the condition, disease or  
60 syndrome, and shall indicate whether it is a terminal condition, disease  
61 or syndrome;

62            (2) [a] A prognosis concerning the likelihood of recovery from such  
63 condition, disease or syndrome; and

64            (3) [a] A description of the inmate's physical incapacity.

65        (c) A diagnosis made by a physician other than one employed by the  
66 Department of Correction or a hospital or medical facility used by the  
67 Department of Correction for medical treatment of inmates may be  
68 reviewed by a physician appointed by the Commissioner of Correction  
69 or reviewed by the medical director of the Department of Correction.

70        (d) For the purposes of [this section] sections 54-131a to 54-131g,  
71 inclusive, as amended by this act, "terminal condition, disease or  
72 syndrome" includes, but is not limited to, any prognosis by a licensed  
73 physician that the inmate has six months or less to live.

74        Sec. 4. Section 54-131d of the general statutes is repealed and the  
75 following is substituted in lieu thereof (*Effective October 1, 2024*):

76            (a) The Board of Pardons and Paroles shall require as a condition of  
77 release on medical parole that the parolee agree to placement and that  
78 he is able to be placed for a definite or indefinite period of time in a  
79 hospital or hospice or other housing accommodation suitable to his  
80 medical condition, including his family's home, as specified by the  
81 board.

82            (b) The Board of Pardons and Paroles [may] shall require as a

83 condition of release on medical parole periodic diagnoses as described  
84 in section 54-131c. If after review of such diagnoses the board finds that  
85 a parolee released pursuant to sections 54-131a to 54-131g, inclusive, is  
86 no longer so debilitated or incapacitated [as to be physically incapable  
87 of presenting a danger to society] that there is no longer a reasonable  
88 probability that the parolee will not pose a risk to public safety, such  
89 parolee shall be returned to any institution of the Department of  
90 Correction.

91 Sec. 5. Section 54-131f of the general statutes is repealed and the  
92 following is substituted in lieu thereof (*Effective October 1, 2024*): The  
93 Board of Pardons and Paroles may appoint a special panel to implement  
94 the provisions of sections 54-131a to 54-131g, inclusive. The special  
95 panel shall consist of at least three members of the Board [The board or  
96 special panel] and shall review and decide requests for medical parole  
97 under said sections on an emergency basis, and in all cases shall act in  
98 as expeditious a manner as possible.

99 Sec. 6. Section 18-84 of the general statutes is repealed and the  
100 following is substituted in lieu thereof (*Effective October 1, 2024*):

101 The terms "inmate" and "prisoner", as used in this title and sections  
102 54-125 to [54-129] 54-131g, inclusive, [and 54-131,] as amended by this  
103 act, include any person in the custody of the Commissioner of  
104 Correction or confined in any institution or facility of the Department of  
105 Correction until released from such custody or control, including any  
106 person on parole.

107 Sec. 7. Section 54-131k of the general statutes is repealed. (*Effective*  
108 *October 1, 2024*)

109 ***Statement of Purpose:***

110 To modify standards used by the Board of Pardons and Paroles to  
111 determine inmate eligibility for terminal and non-terminal cases.

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