



Substitute Senate Bill No. 1110

Public Act No. 19-80

AN ACT CONCERNING ACCESS TO MEDICAL RECORDS IN THE POSSESSION OF THE COMMISSIONER OF CORRECTION.

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

Section 1. (NEW) (*Effective October 1, 2019*) An inmate, his or her legal representative or the legal representative of the estate of an inmate, who provides a written request for documents to the Department of Correction in connection with a fatal injury suffered by the inmate while incarcerated or an injury that resulted in the inmate suffering a permanent disability while incarcerated, may request documents in the possession of the Department of Correction that are relevant to such injury. The Department of Correction shall ensure that such documentary materials are provided to the inmate, his or her legal representative or the legal representative of the estate of an inmate not later than sixty days after the date of receipt of the written request, unless the disclosure of the documentary materials could pose a risk to safety and security, violates a common law privilege, or is prohibited by state or federal law. If an inmate dies while incarcerated or becomes incapacitated due to an injury suffered while incarcerated, the Department of Correction shall notify the inmate's designated next of kin of the inmate's death or incapacitation, unless providing such notification is not consistent with any prior expressed preference of the inmate that has been made known to the Department of Correction.

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The Department of Correction shall adopt regulations in accordance with the provisions of chapter 54 of the general statutes to implement the provisions of this section. Such regulations shall include (1) a process for resolving any dispute concerning the production of documentary materials by the Department of Correction under this section, (2) a delineation of the fees, if any, that the Department of Correction may impose when complying with a request for documentary materials under this section, and (3) the circumstances under which the deadline for production of documents may be extended beyond sixty days.

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

Approved June 28, 2019