

LAW, JUSTICE, AND ETHICS

Resolution LJE-20-06

A RESOLUTION ON ELIMINATING HEALTH DISPARITIES IN THE JUSTICE SYSTEM

WHEREAS, those that are incarcerated are the responsibility of the government, and their health is an essential part of their constitutional rights that ensure they are treated fairly and not unduly punished;

WHEREAS, according to a 2015 study by Brennan Center for Criminal Justice at New York University School of Law, 35 states authorize copayments and other fees for medical services at state prisons or county jails;

WHEREAS, it is estimated that 80% of prisoners are poor, and the copays often come out of their individual commissary accounts, which are funded by family that may be struggling or low paying prison jobs;

WHEREAS, many inmates have to choose between health care and basic necessities like soap, toothpaste and clean undergarments, necessities that are connected to improved health;

WHEREAS, a 2009 study published in the American Journal of Public Health found that of prisoners with a chronic medical condition that 68 percent of local jail inmates, 20 percent of state prison inmates and 14 percent of federal prison inmates did not have a medical exam;

WHEREAS, co-pays are shown to contribute to disease spread, increased deaths and hospitalizations;

WHEREAS, failure to seek care leads to utilization of more expensive acute care, as conditions that are inexpensive to treat if caught early can worsen when untreated;

WHEREAS, according to a survey done by Kaiser Family Foundation found that 97% percent of prisoners with Hepatitis C were not being given the cure that is currently available;

WHEREAS, if a prisoner is not healthy it is much more difficult to reintegrate into the community successfully; and

WHEREAS, some states have ended prison co-pays based on data showing that the cost of administering and processing co-pays resulted in a net financial loss for the state.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) opposes rules that requires a committed person, or person committed in correctional systems to pay any co-payment for receiving medical or dental services;

BE IT FURTHER RESOLVED, that the NBCSL further believes that states should expand preventative screening services, to not only save the long-term costs of care, but to protect those in the care of the state;

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BE IT FURTHER RESOLVED, that states need to assist prisoners so that they not only have access to medical exams, but the care and services necessary for their health, such as cures to diseases; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

SPONSOR: Representative Carol Ammons (IL)

Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee

Certified by Committee Co-Chair: Representative Reginald Meeks (KY)

Ratified in Plenary Session: Ratification Date is December 6, 2019

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President