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LEGISLATIVE TESTIMONY

To: Joint Committee on Public Safety and Homeland Security

From: James F. Driscoll, Esq., Executive Director

Re: Senate Bill 1139 “An Act reducing health care costs through extraordinary medical placement.”

Date: April 4, 2013

The Massachusetts Catholic Conference (“Conference”) respectfully submits this testimony in support of legislation to provide medical release to terminally ill inmates in Massachusetts both as a sign of compassion at the end of a life and also as a way of reducing health care costs.

“Medical release” has been available in the United States since 1984. Currently, all but five states have some form of early release for eligible inmates who are dying.¹ Massachusetts is one of the five states that have not adopted medical release legislation. This legislation would bring Massachusetts in line with the forty-seven other states who have some version of “medical release” available for dying prisoners. The Conference supports the advancement of legislation that would allow inmates who pose no threat to society the option to die at home with family members or in another appropriate facility better equipped to address the individual and familiar challenges that arise as a person approaches the final stages of life.

The Catholic Church has always been a leader in End-of-Life care. While there may be some negative attitudes toward prisoners that may present an obstacle, the benefits of this legislation far outweigh any speculative harm. It is important to note that once released, prisoners shall remain under the jurisdiction, supervision, and control of the department of correction, which is responsible for the terms and conditions of the release.

This legislation is also fiscally responsible. Once released from prison, inmates are cared for by either a family member or placed in nursing homes or hospice programs covered by mostly Medicare or Medicaid.²

For these reasons, the Conference urges the Committee to report favorably a bill that provides terminally ill inmates in Massachusetts with a humane and just form of medical release.

¹ Fernandez, E., “Reforms Needed for Compassionate Release of Prison Inmates.” www.ucsf.edu, June 2, 2011.

² Buckley, C., “Law Has Little Effect on Early Release for Inmates” The New York Times, January 30, 2010.