

State of Connecticut  
Board of Pardons and Paroles



## Info Sheet on Medical Parole

Medical parole is a statutory release mechanism for individuals with terminal illnesses who are so debilitated or incapacitated by such condition, disease or syndrome as to be physically incapable of presenting a danger to society.

Although medical parole is often referenced in conjunction with compassionate parole they are not the same. Medical parole primarily differs in that it applies to a broader range of sentence and offense types and requires a terminal condition. The eligible individual has to have been diagnosed as suffering from a terminal condition, disease or syndrome, and a panel of board members has to then determine whether that individual “is so debilitated or incapacitated by such condition, disease or syndrome as to be physically incapable of presenting a danger to society.” Conn. Gen. Stat. § 54-131b. Medical parole also differs in that requests and diagnoses made for the purpose of seeking medical parole release are subject to specific statutory criteria. This info sheet provides an overview of those criteria.

*Please Note:* “terminal condition, disease or syndrome” includes, **but is not limited to**, any prognosis by a licensed physician that the inmate has six months or less to live. For medical parole purposes, an individual may be considered to have a terminal condition, disease or syndrome and have more than 6 months to live.

### Eligibility Criteria

#### I. Request for medical diagnosis meet statutory criteria (Conn. Gen. Stat. § 54-131e)

Request must have been made by one of the following:

- Board of Pardons and Paroles,
- The Commissioner of Correction,
- A correctional warden
- A correctional superintendent
- an inmate,
- an inmate's spouse,
- an inmate's parent,
- an inmate's guardian,
- an inmate's grandparent,

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- an inmate's aunt or uncle,
- an inmate's sibling,
- an inmate's child over the age of eighteen years, or
- an inmate's attorney.

II. **The inmate cannot be serving a sentence for any of the following:** (Conn. Gen. Stat. § 54-131b)

- a capital felony under the provisions of section 53a-54b in effect prior to April 25, 2012
- murder with special circumstances under the provisions of section 53a-54b in effect on or after April 25, 2012

III. **A medical diagnosis must be provided and must satisfy statutory criteria** (Conn. Gen. Stat. § 54-131c)

- Medical diagnosis must be provided to the Board.
- The diagnosis must be made by a physician licensed under chapter 370.
- The diagnosis must include a description of such **terminal** condition, disease or syndrome.
- The diagnosis must include a prognosis concerning the likelihood of recovery from such condition, disease or syndrome.
- The diagnosis must include a description of the inmate's physical incapacity.

*Note:* A diagnosis may be made either by physician employed by DOC physician employed by inmate or inmate's attorney.

**Suitability Criteria** (§ 54-131b).

A panel of board members can only release an inmate to medical parole if they determine that *the inmate is so debilitated or incapacitated by such condition, disease or syndrome as to be physically incapable of presenting a danger to society.*

**Placement Requirements** (§ 54-131d)

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

*Note:* We recommend that the diagnosing physician or proponent of medical parole indicate whether housing suitable for the inmate's medical condition is available and provide detail.