

**STATEMENT OF SCOPE OF PROPOSED RULE  
DEPARTMENT OF CORRECTIONS**

**SUBJECT:** Creating § DOC 325.15, relating to the department's use of palliative care resources outside of the prison system to care for inmates with a terminal condition.

**DESCRIPTION OF THE OBJECTIVE OF THE RULE:** The objective of the rule is to create § DOC 325.15 to establish procedures for the department to temporarily release inmates with a terminal condition to a palliative care facility ("Hospice").

**DESCRIPTION OF EXISTING POLICIES AND NEW POLICIES INCLUDED IN THE PROPOSED RULE AND AN ANALYSIS OF POLICY ALTERNATIVES:**

Currently, chapter DOC 325 permits the department to temporarily release an inmate in order to receive medical treatment. Palliative care for an inmate with a terminal condition is not considered by the medical community to be medical treatment. The department seeks to amend the rule to specifically permit release for this purpose.

There are no alternative means to address the need for the rule.

**STATUTORY AUTHORITY:** §§ 227.11(2), 301.02, and 301.03 (2), Stats.

**ESTIMATE OF THE AMOUNT OF TIME STATE EMPLOYEES WILL SPEND DEVELOPING THE PROPOSED RULE AND OF OTHER RESOURCES NECESSARY TO DEVELOP THE RULE:**

The Department estimates that it will take approximately 40 hours to develop this rule, including drafting the rule and complying with rulemaking requirements.

**DESCRIPTION OF ALL OF THE ENTITIES THAT WILL BE AFFECTED BY THE RULE.**

This rule affects inmates with a terminal condition that are accepted for admission to a palliative care facility, staff and residents of a palliative care facility, victims, and department staff.

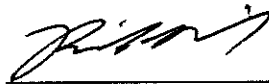
**SUMMARY OF AND PRELIMINARY COMPARISON WITH ANY EXISTING OR PROPOSED FEDERAL REGULATION THAT IS INTENDED TO ADDRESS THE ACTIVITIES TO BE REGULATED BY THE PROPOSED RULE.**

There are no federal regulations which address the release of state inmates for palliative care purposes.

**CONTACT PERSON.**

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Secretary  
Department of Corrections