

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 928

An Act to amend and reenact §§ 53.1-126 and 53.1-133.01:1 of the Code of Virginia, relating to financial responsibility of sheriffs and localities for medical treatment of inmates.

[H 2222]

Approved March 23, 2003

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-126 and 53.1-133.01:1 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-126. Responsibility of sheriffs and jail superintendents for food, clothing and medicine.

The sheriff or jail superintendent shall purchase at prices as low as reasonably possible all foodstuffs and other provisions used in the feeding of jail prisoners and such clothing and medicine as may be necessary. *Nothing herein shall be construed to require a sheriff, jail superintendent or a locality to pay for the medical treatment of an inmate for any injury, illness, or condition that existed prior to the inmate's commitment to a local or regional facility, except that medical treatment shall not be withheld for any communicable diseases or life threatening conditions.* Invoices or itemized statements of account from each vendor of such foodstuffs, provisions, clothing and medicines shall be obtained by the sheriff or jail superintendent and presented to the governing body of the city or county or, in the case of regional jails, the regional jail authority or, if none, that body responsible for the fiscal management of the regional jails. He shall certify on each statement or invoice that the merchandise has been received and that the vendor has complied with the terms of the purchase. Such certification shall be in the following words: "I hereby certify that the merchandise or service has been received and that the terms of the purchase have been complied with on the part of the vendor. The merchandise or service has been or will be used solely for the feeding and care of prisoners confined in jail." If any county or city has a purchasing agent, the local governing body may require all such purchases to be made by or through the purchasing agent.

§ 53.1-133.01:1. Payment for bodily injury.

Each jail superintendent or sheriff who operates a correctional facility is authorized to establish administrative procedures according to regulations promulgated by the Board for recovering from an inmate the cost for medical treatment of a physical injury that is inflicted intentionally on any person, *including the inmate himself*, by the inmate. Such administrative procedures shall ensure that the inmate is afforded due process.