

2006 SESSION

INTRODUCED

067992212

HOUSE BILL NO. 603

Offered January 11, 2006

Prefiled January 10, 2006

A BILL to amend and reenact §§ 53.1-33 and 53.1-34 of the Code of Virginia, relating to prisoners with contagious or infectious diseases.

Patron—Amundson

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-33 and 53.1-34 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-33. Physical examination of prisoner; ability to work.

Each person received by the Department shall be examined by a licensed physician upon his arrival, *within 30 days prior to any work assignment or change in work assignment*, and at such times thereafter as may be deemed necessary. The work that a prisoner is required to do shall be dependent upon the report of the physician as to his physical and mental capacity.

§ 53.1-34. Treatment of prisoner with contagious or infectious disease.

A. The Director may, upon the application of the person in charge of any state correctional facility who has been requested in writing so to do by the physician at such facility, have removed from such facility any prisoner therein who has contracted any contagious or infectious disease dangerous to the public health to some place to be designated by the Director. When any prisoner is so removed, he shall be safely kept and treated for such disease and, as soon as he recovers his health, be returned to such facility unless the term of his imprisonment has expired, in which event he shall be discharged, but not until all danger of his spreading contagion has passed. Expenses incurred by reason of this section shall be borne by the Commonwealth.

B. *Any inmate with an infectious disease shall be assessed to determine appropriate work and housing assignments. An inmate with a disease that is transmitted through casual contact shall be prohibited from employment in any area until fully evaluated and given clearance by a licensed physician. Special consideration should be used in assigning an inmate with an infectious disease to food services, medical services, or barber services.*

C. *An inmate may be limited in duty and housing assignments only if his disease may be transmitted despite the use of environmental controls or personal protective equipment, or when precautionary measures cannot be implemented or are not available to him. The warden, in consultation with the physician, may at his discretion exclude an inmate from work assignments based upon safety considerations specific to his particular institution.*

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HB603