

## 2007 SESSION

INTRODUCED

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### SENATE BILL NO. 836

Offered January 10, 2007

Prefiled January 5, 2007

A BILL to amend and reenact § 53.1-33 of the Code of Virginia, relating to physical examination of prisoner; ability to work.

Patron—Devolites Davis

Referred to Committee on Rehabilitation and Social Services

#### Be it enacted by the General Assembly of Virginia:

#### 1. That § 53.1-33 of the Code of Virginia is 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 in food services, medical services, or cosmetological services or a change in work assignment, and at such other 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.

Prisoners may be limited in duty and housing assignments only if their disease could be transmitted despite the use of environmental or engineering controls or personal protective equipment, or when precautionary measures cannot be implemented or are not available to prevent the transmission of the specific disease. The warden, in consultation with the physician, may exclude prisoners, on a case-by-case basis, from work assignments based upon the classification of the institution and the safety and good order of the institution. Special consideration should be used in assigning any inmate with an infectious disease to assignments in food services, medical services, and cosmetological services.

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