

LEGISLATIVE BILL 320

Approved by the Governor March 28, 2005

Introduced by Chambers, 11; Price, 26

AN ACT relating to the Nebraska Correctional Health Care Services Act; to amend section 83-4,161, Revised Statutes Supplement, 2004; to change provisions relating to screening for communicable diseases; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 83-4,161, Revised Statutes Supplement, 2004, is amended to read:

83-4,161. In developing medical treatment protocols for the clinics, the medical director shall define the circumstances under which chronically ill inmates should return to the chronic care clinics for check-ups and when appointments should be made for chronically ill inmates to next be examined by health care staff. In developing and implementing medical treatment protocols for clinics for the detection and treatment of communicable diseases, the medical director shall ensure that the medical treatment protocols include:

(1) Provisions allowing for the routine immunization against communicable diseases of all inmates upon entering the custody of the department;

(2) Provisions requiring all inmates ~~each inmate~~ to be screened for communicable diseases, including (a) human immunodeficiency virus, (b) hepatitis A virus, (c) hepatitis B virus, (d) hepatitis C virus, (e) tuberculosis, and (f) sexually transmitted diseases, ~~both at the time that those inmates enter into the custody of the department and at the time that those inmates leave when the inmate enters into the custody of the department;~~

(3) Provisions requiring each inmate to be screened for (a) human immunodeficiency virus, unless previously tested positive, (b) hepatitis B virus, unless previously tested positive, (c) hepatitis C virus, unless previously tested positive, (d) tuberculosis, unless tested within the immediately preceding year or previously tested positive, and (e) sexually transmitted diseases, when the inmate leaves the custody of the department. No such screening shall be conducted without inmate consent;

~~(3)~~ (4) Provisions requiring any inmate in the custody of the department found to be infected with any of the diseases referenced in subdivision (2) of this section, when medically indicated, to be immediately referred to an infectious disease specialist for appropriate treatment;

~~(4)~~ (5) Provisions describing in detail those circumstances when it is medically desirable, because of risk to other noninfected inmates, to segregate, on an individual basis, any inmate found to be infected with the human immunodeficiency virus and also describing those circumstances when there is no longer a perceived medical need to continue the segregation of such an inmate;

~~(5)~~ (6) Provisions requiring that all health care staff who provide health care services be screened for communicable diseases, including (a) human immunodeficiency virus, (b) hepatitis A virus, (c) hepatitis B virus, and (d) hepatitis C virus, upon their entry into the employment of the department, and that all health care staff also be screened annually for tuberculosis; and

~~(6)~~ (7) Provisions allowing for employees of the department who come into immediate personal contact with the inmates to be immunized for hepatitis B virus.

Sec. 2. Original section 83-4,161, Revised Statutes Supplement, 2004, is repealed.