

HB 339 -- Stop HIV/AIDS in Prison Act

Sponsor: El-Amin

This bill establishes the Stop HIV/AIDS in Prison Act of 2009 which requires the Department of Corrections to:

- (1) Develop a comprehensive policy to provide HIV testing, treatment, and prevention for inmates in the state correctional setting and upon reentering the community;
- (2) Consult with appropriate officials within the Department of Health and Senior Services to develop the policy; and
- (3) Submit an annual report, beginning February 1, 2011, to the Governor and General Assembly on department policies and procedures to provide testing, treatment, and prevention education programs for HIV/AIDS and the incidence of HIV/AIDS among inmates.

The comprehensive HIV/AIDS policy must include:

- (1) Testing and counseling for inmates upon admission to a corrections facility. For inmates admitted prior to the effective date of the policy, medical personnel are required to provide HIV testing within six months;
- (2) Pretest and post-test counseling;
- (3) HIV/AIDS prevention education;
- (4) HIV testing upon request;
- (5) HIV testing of pregnant women;
- (6) Comprehensive treatment for inmates who test positive for HIV;
- (7) Confidentiality provisions regarding inmate tests, diagnoses, and treatment;
- (8) Testing, counseling, and referral to appropriate health care providers before reentering the community;
- (9) An opt-out provision for an inmate to refuse routine HIV testing;
- (10) Exposure incident testing; and
- (11) Timely notification of test results.