

AMENDED IN SENATE AUGUST 15, 2005

AMENDED IN ASSEMBLY MAY 26, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 296

Introduced by Assembly Member Negrete McLeod

February 9, 2005

An act to ~~amend Section 122415 of the Health and Safety~~ *add Section 5008.2 to the Penal Code*, relating to hepatitis C.

LEGISLATIVE COUNSEL'S DIGEST

AB 296, as amended, Negrete McLeod. Hepatitis C.

The existing Hepatitis C Education, Screening, and Treatment Act requires the Director of Corrections to perform various functions and duties with respect to testing and treatment of individuals in the correctional system for hepatitis C. Existing law requires the director to provide the budget subcommittees of the Legislature, on or before March 1, 2002, with an annual statistical report on the prevalence of the hepatitis C virus in correctional facilities and trends in the incidence and prevalence of the hepatitis C virus in the correctional system. Existing law implements these provisions only to the extent funds for this purpose have been appropriated in the annual Budget Act.

This bill would ~~also require the director~~ *Department of Corrections and Rehabilitation to make treatment and testing for hepatitis C confidential and at no cost screening available without copayment to the an inmate and to, make testing confidential, and make available comprehensive hepatitis C education information for all prisoners inmates upon intake examination or education. The bill would also remove the requirement that funds be appropriated in the annual*

budget in order for the program to be implemented while providing general information.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5008.2 is added to the Penal Code, to
2 read:

3 5008.2. (a) During the intake medical examination or intake
4 health screening, or while providing general information during
5 intake, the department shall provide all inmates with information
6 on hepatitis C, including, but not limited to, methods of hepatitis
7 C transmission and prevention, and information on opportunities
8 for screening and treatment while incarcerated. This subdivision
9 shall be implemented only to the extent that brochures, other
10 printed information, or other media is provided at no charge to
11 the department by public health agencies or any other
12 organization promoting hepatitis C education.

13 (b) The department shall also provide hepatitis C screening to
14 all inmates who request it, and offer it to inmates that have a
15 history of intravenous drug use or other risk factors for hepatitis
16 C. This testing shall be confidential. The medical copayment
17 authorized in Section 5007.5 shall not be charged for hepatitis C
18 testing, treatment, or any followup testing.

19 SECTION 1. ~~Section 122415 of the Health and Safety Code~~
20 ~~is amended to read:~~

21 ~~122415. (a) The Director of Corrections shall do all of the~~
22 ~~following:~~

23 ~~(1) Provide the budget subcommittees of the Legislature with~~
24 ~~an annual statistical report on the prevalence of the hepatitis C~~
25 ~~virus in correctional facilities and trends in the incidence and~~
26 ~~prevalence of the hepatitis C virus in the correctional system.~~

27 ~~(2) Establish and make available a voluntary program to test~~
28 ~~inmates for the presence of the hepatitis C virus upon~~
29 ~~incarceration that is free and confidential and in conjunction with~~
30 ~~any routine blood testing.~~

31 ~~(3) Update treatment protocols and regimens as new therapies~~
32 ~~become available. Make treatment and followup testing available~~
33 ~~to inmates at no charge.~~

1 ~~(4) Provide free and confidential voluntary testing for all~~
2 ~~prisoners in conjunction with prevention education and treatment~~
3 ~~counseling.~~

4 ~~(5) During the intake medical examination, health screening,~~
5 ~~health education, or general education conducted during intake,~~
6 ~~all inmates shall be provided, either orally or in writing or both,~~
7 ~~information on hepatitis C, including, but not limited to, methods~~
8 ~~of hepatitis C transmission and prevention, and information on~~
9 ~~opportunities for screening and treatment while incarcerated.~~

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