

An Act relating to public health and safety; amending 63 O.S. 1991, Section 1-523, as last amended by Section 1, Chapter 148, O.S.L. 1998 (63 O.S. Supp. 1998, Section 1-523), which relates to treatment of infected inmates; modifying types of persons to be given notice; defining terms; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-523, as last amended by Section 1, Chapter 148, O.S.L. 1998 (63 O.S. Supp. 1998, Section 1-523), is amended to read as follows:

Section 1-523. A. 1. Any and all institutions in this state, whether penal or eleemosynary, public or private, and free or for pay, shall make, and preserve for a period of at least one (1) year, a record showing the name, age, sex, race, nationality and place of residence of any infected inmate of such institution who may come to their knowledge.

2. The institution shall make available such record at all reasonable hours for inspection by the State Commissioner of Health or the local health officer.

3. Such institutions shall further furnish a physician and all proper medicines, instruments and apparatus for the proper treatment of such infected inmate.

B. Each institution listed in paragraph 1 of subsection A of this section and each Department of Corrections district office, and each county or municipal jail and the Pardon and Parole Board shall notify their correctional officers, probation and parole officers, ~~and any jailer, or~~ and any other employee or any ~~employee of the Pardon and Parole Board,~~ health care professional who has or will

have direct contact with an inmate, when such inmate is infected with ~~the human immunodeficiency virus (HIV) or has the Acquired Immune Deficiency Syndrome (AIDS)~~ a serious transmissible disease.

C. Each institution listed in paragraph 1 of subsection A of this section shall notify any embalmer or funeral director who has or will have direct contact with the corpse of an inmate when that inmate has been previously diagnosed with a transmissible disease.

D. 1. If an officer or employee of the State of Oklahoma, or any other person comes into contact with the bodily fluids of an inmate in a state correctional facility, the Director of the Department of Corrections or designee, under such rules as the Director shall promulgate to carry out the provisions of this section, shall cause such inmate to be tested for such disease, if no prior record of the existence of such disease exists.

2. The Director or designee shall promptly communicate in writing the results of the test to the person so exposed and refer the employee to the Department of Correction's Employee Assistance Program for appropriate referrals for counseling, health care, and support services for the person so exposed.

~~3.~~ E. As used in this section, ~~the term "serious:~~

1. "Serious transmissible disease" means the Human Immunodeficiency Virus (HIV) and, the Acquired Immune Deficiency Syndrome (AIDS), hepatitis and tuberculosis; and

2. "Health care professional" means any person who offers or provides health care services under a license, certification or registration issued pursuant to Title 59 or Title 63 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 1999.

Passed the House of Representatives the 24th day of February,
1999.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1999.

President of the Senate