

# HOUSE BILL 743

J1, E4

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By: **Delegates Nathan–Pulliam, Branch, Braveboy, Burns, Costa, Elliott, Gaines, Gutierrez, Howard, Hubbard, Ivey, Jones, Kipke, Krebs, Murphy, Oaks, B. Robinson, Tarrant, V. Turner, and Valderrama**

Introduced and read first time: February 8, 2012

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Inmates – Hepatitis C – Testing, Prevention, Counseling, and Treatment**

3 FOR the purpose of requiring the Department of Public Safety and Correctional  
4 Services, in collaboration with the Department of Health and Mental Hygiene,  
5 to establish a voluntary hepatitis C testing program for certain inmates as part  
6 of the intake and release process; requiring the Department of Public Safety  
7 and Correctional Services, in collaboration with the Department of Health and  
8 Mental Hygiene, to establish certain protocols for the prevention of hepatitis C  
9 infection among inmates and the treatment of certain inmates who have been  
10 diagnosed with hepatitis C; requiring certain protocols to include guidelines for  
11 the treatment of an inmate scheduled for release before the date of completion  
12 of the treatment that includes certain referrals for the continuation of  
13 treatment after release of the inmate; requiring the Department of Public  
14 Safety and Correctional Services to make certain educational resources  
15 available to a certain inmate prior to the release of the inmate; requiring certain  
16 counseling of certain inmates to include management of side effects during  
17 treatment and the establishment of peer education and support groups to  
18 provide certain information; requiring the Department of Public Safety and  
19 Correctional Services, in collaboration with the Department of Health and  
20 Mental Hygiene, to develop certain regulations; and generally relating to  
21 inmates with hepatitis C.

22 BY repealing and reenacting, with amendments,  
23 Article – Correctional Services  
24 Section 9–613  
25 Annotated Code of Maryland  
26 (2008 Replacement Volume and 2011 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Correctional Services**

4 9–613.

5 **(A) THE DEPARTMENT, IN COLLABORATION WITH THE DEPARTMENT**  
6 **OF HEALTH AND MENTAL HYGIENE, SHALL ESTABLISH:**

7 **(1) A VOLUNTARY HEPATITIS C TESTING PROGRAM FOR EACH**  
8 **INMATE AS PART OF THE INTAKE PROCESS AND, IF AN INMATE TESTS NEGATIVE**  
9 **ON INTAKE, AS PART OF THE RELEASE PROCESS OF THE INMATE; AND**

10 **(2) PROTOCOLS FOR:**

11 **(I) THE PREVENTION OF HEPATITIS C INFECTION AMONG**  
12 **INMATES; AND**

13 **(II) THE TREATMENT OF AN INMATE WHO HAS BEEN**  
14 **DIAGNOSED WITH HEPATITIS C, INCLUDING GUIDELINES FOR THE TREATMENT**  
15 **OF AN INMATE SCHEDULED FOR RELEASE BEFORE THE DATE OF COMPLETION**  
16 **OF THE TREATMENT, THAT INCLUDES:**

17 **1. COMMENCEMENT OF THE TREATMENT BEFORE**  
18 **RELEASE; AND**

19 **2. APPROPRIATE REFERRALS FOR THE**  
20 **CONTINUATION OF THE TREATMENT AFTER RELEASE OF THE INMATE.**

21 **[(a)] (B) (1)** On or before July 1, 2010, the Department, in collaboration  
22 with the Department of Human Resources and the Department of Health and Mental  
23 Hygiene, shall develop a process to refer an inmate who has been diagnosed with  
24 hepatitis C to the Department of Human Resources or the Department of Health and  
25 Mental Hygiene for enrollment in the Maryland Medical Assistance Program or the  
26 Primary Adult Care Program on release of the inmate.

27 **(2) PRIOR TO RELEASE OF AN INMATE WHO HAS BEEN**  
28 **DIAGNOSED WITH HEPATITIS C, THE DEPARTMENT SHALL MAKE EDUCATIONAL**  
29 **RESOURCES AVAILABLE TO THE INMATE, INCLUDING COMMUNITY LINKAGES TO**  
30 **PROVIDERS IN THE COMMUNITY FOR THE CONTINUATION OF THE TREATMENT**  
31 **AFTER RELEASE OF THE INMATE AS PROVIDED IN SUBSECTION (A) OF THIS**  
32 **SECTION, INCLUDING TELEMEDICINE LINKS.**

1           **[(b)] (C)**     The Department shall:

2                   **(1)**     provide counseling to inmates with hepatitis C on the management  
3 of hepatitis C, **INCLUDING MANAGEMENT OF SIDE EFFECTS DURING TREATMENT,**  
4 and methods to reduce the transmission of hepatitis C; **AND**

5                   **(2)**     **ESTABLISH PEER EDUCATION AND SUPPORT GROUPS TO**  
6 **PROVIDE THE INFORMATION DESCRIBED IN ITEM (1) OF THIS SUBSECTION.**

7           **[(c)] (D)**     **(1)**     The Department, in collaboration with the Department of  
8 Human Resources and the Department of Health and Mental Hygiene, shall develop  
9 regulations to implement subsection **[(a)] (B)** of this section.

10                   **(2)**     **THE DEPARTMENT, IN COLLABORATION WITH THE**  
11 **DEPARTMENT OF HEALTH AND MENTAL HYGIENE, SHALL DEVELOP**  
12 **REGULATIONS TO IMPLEMENT SUBSECTIONS (A) AND (C) OF THIS SECTION.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2012.