

2009 DRAFTING REQUEST

Bill

Received: 12/15/2009

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: Randy Hopper (608) 266-5300

By/Representing: Rebecca Hogan

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: Correctional System - jails
Correctional System - misc
Correctional System - prisons

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hopper@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Providing correctional officers with information about inmates and contagious diseases

Instructions:

See attached--07b0780

Drafting History:

Table with columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Row 1: /?, chanaman, nnatzke, S&L. Row 2: /1, phenry, sbasford, [redacted]

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

mbarman
02/11/2010

FE Sent For:

*at
intro*

<END>

2009 DRAFTING REQUEST

Bill

Received: 12/15/2009

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Randy Hopper (608) 266-5300**

By/Representing: **Rebecca Hogan**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Correctional System - jails
Correctional System - misc
Correctional System - prisons**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hopper@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Providing correctional officers with information about inmates and contagious diseases

Instructions:

See attached--07b0780

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 12/17/2009	nmatzke 12/30/2009		_____			S&L
/1			phenry 01/04/2010	_____	sbasford 01/04/2010		

FE Sent For:

<END>

2009 DRAFTING REQUEST

Bill

Received: 12/15/2009

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Randy Hopper (608) 266-5300**

By/Representing: **Rebecca Hogan**

This file may be shown to any legislator: **NO**

Drafter: **chanaman**

May Contact:

Addl. Drafters:

Subject: **Correctional System - jails
Correctional System - misc
Correctional System - prisons**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Hopper@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Providing correctional officers with information about inmates and contagious diseases

Instructions:

See attached--07b0780

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	chanaman	1 nwn 12/17	PH	AD PH BF			

FE Sent For:

1/14
<END>



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓

1 AN ACT ^{general} relating to: informing correctional officers about inmates with
2 contagious diseases.

Analysis by the Legislative Reference Bureau

Under current law, with some specific exceptions, a patient's health care records, as well as the results of a test for the presence of HIV, are released only with the patient's or test subject's consent. One exception is the release of a prisoner's health care records to the prisoner's health care provider, the medical staff in the prison or jail, or a person maintaining prisoner medical records. This bill permits health care disclosures about a prisoner to persons designated to have custodial authority over the prisoner or responsible for transferring a prisoner to or from a prison or jail if both of the following apply: 1) The prisoner is found to have a communicable disease or an HIV test conducted on the prisoner was positive for the presence of HIV; and 2) The disclosure is necessary for the health and safety of the prisoner, the person having custodial authority, the person responsible for transferring the prisoner, or employee of the prison or jail.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

Other prisoners,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

(END)

WS 1-3

LFB:.....Carmichael - Providing correctional officers with information about inmates and contagious diseases

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

[Faint handwritten signatures and text, possibly "K... Ag..."]

INS 1-3

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1259, line 17: after that line insert:

3 SECTION 2872L. 146.82 (2) (a) 22. of the statutes is created to read:

4 146.82 (2) (a) 22. By a person specified in subd. 21. to a correctional officer of

5 the department of corrections who has custody of or is responsible for the supervision

6 of a prisoner, to a person designated ^{by a jailer to have} with custodial authority over a prisoner ^{by a}

7 jailer, or to a law enforcement officer or other person who is responsible for

8 transferring a prisoner to or from a prison or jail, if the patient health care record

9 indicates that the prisoner has a communicable disease and disclosure of that

10 information is necessary for the health and safety of the prisoner or of other

1 prisoners, of the person to whom the information is disclosed, or of any other
2 employee of the prison or jail.

3 **2.** Page 1319, line 11: after that line insert:

4 ~~SECTION 301.6s.~~ 252.15 (5) (a) 21. of the statutes is created to read:

5 252.15 (5) (a) 21. By a person specified in subd. 20. to a correctional officer of
6 the department of corrections who has custody of or is responsible for the supervision
7 of a prisoner, to a person designated ^{by a jailer to have} ~~with~~ custodial authority over a prisoner by a
8 jailer ^{comma stays} or to a law enforcement officer or other person who is responsible for
9 transferring a prisoner to or from a prison or jail, if the test results indicate that the
10 prisoner has tested positive for the presence of HIV, as defined in s. 252.01 (1m),
11 antigen or nonantigenic products of HIV, or an antibody to HIV and disclosure of that
12 information is necessary for the health and safety of the prisoner or of other
13 prisoners, of the person to whom the information is disclosed, or of any other
14 employee of the prison or jail.

15 **3.** Page 1376, line 15: after that line insert:

16 ~~SECTION 312.0h.~~ 302.388 (2) (g) of the statutes is created to read:

17 302.388 (2) (g) If a prisoner's health summary form or complete medical file
18 indicates that the prisoner has a communicable disease and if disclosure of that
19 information is necessary for the health and safety of the prisoner or of other
20 prisoners, of a correctional officer who has custody of or is responsible for the
21 supervision of the prisoner, of a person designated ^{to have} ~~with~~ custodial authority over the
22 prisoner by a jailer of any other employee of the prison or jail, or of a law enforcement
23 officer or other person who is responsible for transferring the prisoner to or from a
24 prison or jail, receiving institution intake staff shall disclose that information to the

1 persons specified in par. (f) 1. to 4. and to that correctional officer, person with
2 custodial authority, law enforcement officer, or other person.

3 SECTION ~~3130j.~~ 302.388 (3) of the statutes is renumbered 302.388 (3) (a).

4 SECTION ~~3130L.~~ 302.388 (3) (b) of the statutes is created to read:

5 302.388 (3) (b) If a prisoner's treatment summary indicates that the prisoner
6 has a communicable disease and if disclosure of that information is necessary for the
7 health and safety of the prisoner or of other prisoners, of a correctional officer who
8 has custody of or is responsible for the supervision of the prisoner, of a person
9 designated ~~with~~ ^{to have} custodial authority over the prisoner ^{by a jailer,} of any ^{other}
10 employee of the prison or jail, or of a law enforcement officer or other person who is
11 responsible for transferring the prisoner to or from a prison or jail, the department
12 or jailer shall disclose that information to the persons to whom a treatment summary
13 may be made available under par. (a) and to that correctional officer, person with
14 custodial authority, law enforcement officer, or other person.

(END)
of insert

Parisi, Lori

From: Hogan, Rebecca
Sent: Wednesday, February 10, 2010 4:30 PM
To: LRB.Legal
Subject: Draft Review: LRB 09-3994/1 Topic: Providing correctional officers with information about inmates and contagious diseases

Please Jacket LRB 09-3994/1 for the SENATE.

*Cathlene will be
doing a companion
for the
Assembly -*