

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> <b>Standard Operating Procedures</b>		
<b>Policy Name:</b> Assign HIV Positive Offenders to Transitional Centers		
<b>Policy Number:</b> 215.02	<b>Effective Date:</b> 1/30/2020	<b>Page Number:</b> 1 of 4
<b>Authority:</b> Commissioner	<b>Originating Division:</b> Facilities Division (Transitional Centers)	<b>Access Listing:</b> Level I: All Access

**I. Introduction and Summary:**

Offenders who have tested positive for the HIV Antibody may be considered for referral to Transitional Centers, if they meet all criteria outlined in SOP 215.01, are currently medically cleared, and have not been housed separately from any other persons not infected with HIV for reasons defined in O.C.G.A. §42-5-52.1(e). This policy assists the Centers in providing for the management of serious and infectious diseases.

**II. Authority:**

- A. O.C.G.A. § 42-5-52.1(e);
- B. Ga. Comp. R. & Regs, 125-2-1-.01(d) and 125-4-4-.06;
- C. GDC Standard Operating Procedures (SOP): 208.01 Management of Inmates Diagnosed Positive for the HIV Antibody, 215.01 Transitional Center Selection Criteria and Process, 507.03.14 Training for Health Care and Correctional Personnel Regarding Communicable Diseases, 507.04.61 HIV Antibody Testing, 507.04.70 Infection Control Program, and 507.04.74 Exposure Control Plan: Bloodborne Pathogens; and
- D. ACA Standards: 4-ACRS-4C-08, 4-ACRS-4C-09 and 4-ACRS-4C-10.

**III. Definitions: None.**

**IV. Statement of Policy and Applicable Procedures:**

- A. Offenders who have tested positive for the HIV Antibody may be considered for referral to Transitional Centers.
  - 1. Offenders must meet the following criteria:
    - a. Offenders must meet the criteria outlined in SOP 215.01, Transitional Center Selection Criteria and Process;

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- b. Offenders who have been housed separately (segregated) from any other persons not infected with HIV for reasons defined in O.C.G.A. § 42-5-52.1(e), will not be eligible for placement in a Transitional Center;
    - c. The prison physician must medically clear an offender prior to transfer to a Transitional Center;
    - d. The primary criteria for medical clearance will be an inmate's physical ability to maintain employment; and
    - e. Offenders that become symptomatic after being placed in a Transitional Center and cannot maintain employment must be returned to a State facility that is capable of meeting the existing medical need.
  2. For those offenders on any HIV medication, a thirty (30) day supply of medication must be forwarded with the offender to the Transitional Center;
- B. It is the policy of GDC to maintain the confidentiality of offender medical record information:
1. Such information will be released to parties outside the agency according to established medical practices and legal requirements;
  2. Information will be released to departmental personnel as necessary for them to perform their official duties.
  3. Upon assignment to a Transitional Center, all HIV- infected residents will sign an agreement (Attachment 1, Special Conditions for Work Release for HIV-Infected Residents) to have regular medical examinations by a physician who is aware of their medical condition. The resident also agrees to other special conditions;
  4. Transitional Center staff will not require an HIV-infected offender to disclose his/her medical condition to an employer or prospective employer, except in cases where the nature of the employment poses a real and immediate potential for injury to the person of the HIV-infected resident; and

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5. It will not be deemed inappropriate for HIV-infected offenders to seek employment in a high-risk industrial position. Employment in the construction industry is not deemed to be high-risk employment for the purposes of this policy.
- C. Prior to taking any passes or leave, the HIV-infected offender will disclose his/her medical condition to his/her spouse;
1. After notification, the spouse will contact the Transitional Center's health care provider to indicate awareness of his/or her spouse's HIV-positive condition;
  2. The health care provider may inform the spouse of HIV awareness issues, and/or may refer the spouse to the local Public Health Center for further information and counseling. The HIV CARE Ryan White Part B Program funds essential medical and supportive services for persons with the HIV disease/AIDS and manages the Georgia AIDS Drug Assistance Program (ADAP) and Health Insurance Continuation Program (HICP). The offender may also be counseled and referred to the local Public Health Center;
  3. If the resident desires, he/she may sign a release of the information authorizing the health care provider to make arrangements to notify the spouse;
  4. The health care provider will either notify the spouse personally, or will notify the local Public Health Department for follow-up; and
  5. The health care provider will inform the Superintendent when the HIV-positive resident has been medically cleared for pass/leave.
- D. Fluid Precautions, Protective Equipment, and Education and Training:
1. SOP 208.01, Management of Inmates Diagnosed Positive for the HIV Antibody, provides detailed guidance regarding fluids precautions, protective equipment, and education and training;

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2. All employees with a risk of occupational exposure will receive initial and annual training on the hazards associated with blood and other potentially infectious materials and the protective measures to be taken to minimize or eliminate the risk of occupational exposure per SOP 507.03.14, Training for Health Care and Correctional Personnel Regarding Communicable Diseases; and
3. Offenders assigned to Centers will not be housed separately.

**V. Attachments:**

Attachment 1: Special Conditions of Work-Release for HIV-Infected Resident

**VI. Record Retention of Forms Relevant to this Policy:**

Upon completion, Attachment 1 shall be placed in the Medical File and retained according to the official records retention schedule for that file.