

1 Section 1. Chapter 143B of the General Statutes is amended by adding the
2 following new section to read:

3 **"§ 143B-262.2. Department of Correction – HIV Prevention, Counseling, and**
4 **Treatment Program.**

5 (a) The Department shall establish a program to provide inmates who test
6 positive for HIV/AIDS, with counseling and related support services. Program services
7 shall be available to inmates systemwide and shall include the following:

8 (1) HIV testing of all inmates who are scheduled to be paroled or released
9 from prison on probation or home leave. Inmates identified as HIV-
10 positive shall be further tested and, for so long as the inmate is under
11 the Department's custody and jurisdiction, treated as medically
12 indicated.

13 (2) HIV pre-test and post-test counseling, which counseling may include
14 information on condom usage.

15 (3) Interviews with each HIV-positive inmate and notification of all
16 persons identified by the inmate as having been the inmate's sexual
17 partner.

18 (4) Enhanced counseling for all inmates to provide education and behavior
19 modification information. Enhanced counseling shall also provide for
20 individual counseling sessions to inmates who have tested positive for
21 HIV to allow for individualized risk assessment and development of
22 plans for behavior modification upon the inmate's release.

23 (5) Antiviral therapy for HIV-positive inmates as medically indicated;

24 (6) Distribution of written information and other materials, including
25 condoms, designed to prevent the spread of AIDS to all inmates upon
26 release or home leave from the system.

27 (b) Inmate medical records in the custody of the Department containing
28 information about HIV/AIDS testing, counseling, therapy, and other treatments shall be
29 maintained in conformance with G.S. 130A-143 and other applicable State and federal
30 laws governing confidentiality.

31 (c) The Department shall work with the Department of Environment, Health, and
32 Natural Resources to provide training to parole officers and other Department personnel
33 in HIV-prevention counseling, behavior modification, and other areas necessary to
34 ensure effective implementation of the program.

35 (d) The Department shall work with the Department of Environment, Health, and
36 Natural Resources to jointly implement and operate the HIV Prevention, Counseling,
37 and Treatment Program."

38 Sec. 2. There is appropriated from the General Fund to the Department of
39 Correction the sum of forty-one thousand three hundred seventy-four dollars (\$41,374)
40 for the 1994-95 fiscal year to establish and support, beginning June 1, 1995, a full-time
41 HIV Nurse Coordinator and an assistant coordinator to oversee implementation of the
42 HIV Counseling Program established in Section 1 of this act and to establish and
43 support, beginning June 1, 1994, 11 additional full-time HIV Counseling and Testing

1 Nursing Staff to provide clinical services and conduct pre-test and post-test HIV
2 counseling and one clerical position for this Program.

3 Sec. 3. There is appropriated from the General Fund to the Department of
4 Environment, Health, and Natural Resources the sum of forty-three thousand nine
5 hundred ninety-seven dollars (\$43,997) for the 1994-95 fiscal year to establish and
6 support, beginning June 1, 1994, the following positions: a health educator, a DIS
7 supervisor, six Disease Intervention Specialists, seven Public Health Consultants, and
8 two clerk typists to implement the HIV Prevention, Counseling, and Treatment Program
9 established in Section 1 of this act.

10 Sec. 4. There is appropriated from the General Fund to the Department of
11 Correction the sum of one million three hundred sixteen thousand two hundred twenty
12 dollars (\$1,316,220) for the 1994-95 fiscal year to implement the HIV Counseling
13 Program established in Section 1 of this act and to continue and support the positions
14 created in Section 2 of this act. The Department shall report quarterly, beginning
15 October 1, 1994, to the Chairs of the House Appropriations Subcommittee on Natural
16 and Economic Resources, and the Senate Appropriations Committee on Natural and
17 Economic Resources, and to the Fiscal Research Division of the Legislative Services
18 Office. The report shall provide information on program implementation, expenditure
19 of funds, and statistical data on the number of inmates tested, the number identified as
20 HIV-positive, and the number receiving antiviral therapy or other treatment.

21 Sec. 5. There is appropriated from the General Fund to the Department of
22 Environment, Health, and Natural Resources the sum of one million thirty-one thousand
23 eight hundred forty-four dollars (\$1,031,844) for the 1994-95 fiscal year to provide
24 education, counseling, and training services to the Department of Correction for the
25 HIV Prevention, Counseling, and Treatment Program established under Section 1 of this
26 act and to continue and support the positions created in Section 3 of this act.

27 Sec. 6. Section 1 of this act is effective upon ratification. The remainder of
28 this act becomes effective July 1, 1994.