S T A T E O F N E W Y O R K

5340

2013-2014 Regular Sessions

I N A S S E M B L Y

February 25, 2013

Introduced by M. of A. GOTTFRIED, AUBRY, PAULIN, PEOPLES-STOKES, MILLMAN, ROBINSON, JAFFEE, SCHIMEL, COLTON, ROSENTHAL -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, CAHILL, CLARK, COOK, CYMBROWITZ, DINOWITZ, GANTT, GLICK, HOOPER, JACOBS, KELLNER, LIFTON, MARKEY, McDONALD, ORTIZ, PERRY, RIVERA, ROZIC, SCARBOROUGH, WEISENBERG, WRIGHT -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to preventing sexually transmitted diseases and HIV among correctional employees and inmates

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The correction law is amended by adding a new section 141-a to read as follows:

S 141-A. SEXUALLY TRANSMITTED DISEASES AND HIV; PREVENTION. 1. THE COMMISSIONER, TOGETHER WITH THE COMMISSIONER OF HEALTH, SHALL DEVELOP AND IMPLEMENT PROGRAMS IN EVERY CORRECTIONAL FACILITY TO PREVENT THE SPREAD OF HEPATITIS C, SEXUALLY TRANSMITTED DISEASES AND HUMAN IMMUNODEFICIENCY VIRUS INFECTION, FOR DEPARTMENT EMPLOYEES AND INCARCERATED INDIVIDUALS, INCLUDING EDUCATION, GROUP AND INDIVIDUAL COUNSELING, OUTREACH TO THE INCARCERATED POPULATION, HARM REDUCTION, DISCHARGE PLANNING, OFFERING TESTING, AND AVAILABILITY OF PROPHYLACTIC DEVICES. THE PROGRAM MAY PROVIDE FOR TRAINING INCARCERATED PERSONS TO WORK AS PEER EDUCATORS IN THE PROGRAM.

2. THESE PROGRAMS SHALL BE OFFERED IN SUCH MANNER AND AT SUCH TIME AS TO ENCOURAGE ATTENDANCE BY ALL DEPARTMENT EMPLOYEES AND INCARCERATED PERSONS. PROGRAMMING AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION SHALL INCLUDE INCORPORATION INTO OTHER CONTENT-NEUTRAL PROGRAMS TO ENSURE THAT ATTENDANCE IS NOT STIGMATIZED OR STIGMATIZING.

3. IN DEVELOPING PROGRAMS FOR THE PREVENTION OF HEPATITIS C, SEXUALLY TRANSMITTED DISEASES AND HUMAN IMMUNODEFICIENCY VIRUS INFECTION, THE COMMISSIONER SHALL CONSULT WITH THE COMMISSIONER OF HEALTH TO IDENTIFY AND SELECT CURRICULA THAT ARE LIKELY TO BE EFFECTIVE IN REDUCING TRANS-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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MISSION OF INFECTIOUS DISEASES WITHIN CORRECTIONAL FACILITIES AND TO CONTACTS OF FORMERLY INCARCERATED PERSONS UPON THEIR RELEASE.

4. THE PROGRAMS REQUIRED BY SUBDIVISION ONE OF THIS SECTION SHOULD INCLUDE PEER EDUCATION AND USE OF NON-DEPARTMENT PERSONNEL INCLUDING COMMUNITY PROVIDERS, AND SHALL BE IN THE LANGUAGE OF THE TARGETED POPULATION, SHALL TAKE INTO ACCOUNT THE LITERACY LEVEL OF THE TARGETED POPULATION, AND SHALL BE CULTURALLY SENSITIVE TO THE SOCIAL AND CULTURAL NEEDS OF THE TARGETED POPULATION.

5. IN ORDER TO DEVELOP A COHORT OF SKILLED TRAINERS, THE COMMISSIONER, TOGETHER WITH THE COMMISSIONER OF HEALTH, SHALL DEVELOP AND IMPLEMENT A PEER EDUCATOR TRAINING PROGRAM. COMPLETION OF A PEER EDUCATOR TRAINING PROGRAM UNDER THIS SECTION SHALL PERMIT A PARTICIPANT TO RECEIVE A PEER EDUCATION CERTIFICATION.

S 2. This act shall take effect immediately.