

1017

2015-2016 Regular Sessions

I N S E N A T E

January 8, 2015

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and
when printed to be committed to the Committee on Crime Victims, Crime
and 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The correction law is amended by adding a new section 141-a
2 to read as follows:
3 S 141-A. SEXUALLY TRANSMITTED DISEASES AND HIV; PREVENTION. 1. THE
4 COMMISSIONER, TOGETHER WITH THE COMMISSIONER OF HEALTH, SHALL DEVELOP
5 AND IMPLEMENT PROGRAMS IN EVERY CORRECTIONAL FACILITY TO PREVENT THE
6 SPREAD OF HEPATITIS C, SEXUALLY TRANSMITTED DISEASES AND HUMAN IMMUNODE-
7 FICIENCY VIRUS INFECTION, FOR DEPARTMENT EMPLOYEES AND INCARCERATED
8 INDIVIDUALS, INCLUDING EDUCATION, GROUP AND INDIVIDUAL COUNSELING,
9 OUTREACH TO THE INCARCERATED POPULATION, HARM REDUCTION, DISCHARGE PLAN-
10 NING, OFFERING TESTING, AND AVAILABILITY OF PROPHYLACTIC DEVICES. THE
11 PROGRAM MAY PROVIDE FOR TRAINING INCARCERATED PERSONS TO WORK AS PEER
12 EDUCATORS IN THE PROGRAM.
13 2. THESE PROGRAMS SHALL BE OFFERED IN SUCH MANNER AND AT SUCH TIME AS
14 TO ENCOURAGE ATTENDANCE BY ALL DEPARTMENT EMPLOYEES AND INCARCERATED
15 PERSONS. PROGRAMMING AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION
16 SHALL INCLUDE INCORPORATION INTO OTHER CONTENT-NEUTRAL PROGRAMS TO
17 ENSURE THAT ATTENDANCE IS NOT STIGMATIZED OR STIGMATIZING.
18 3. IN DEVELOPING PROGRAMS FOR THE PREVENTION OF HEPATITIS C, SEXUALLY
19 TRANSMITTED DISEASES AND HUMAN IMMUNODEFICIENCY VIRUS INFECTION, THE
20 COMMISSIONER SHALL CONSULT WITH THE COMMISSIONER OF HEALTH TO IDENTIFY
21 AND SELECT CURRICULA THAT ARE LIKELY TO BE EFFECTIVE IN REDUCING TRANS-
22 MISSION OF INFECTIOUS DISEASES WITHIN CORRECTIONAL FACILITIES AND TO
23 CONTACTS OF FORMERLY INCARCERATED PERSONS UPON THEIR RELEASE.

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

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

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

12 S 2. This act shall take effect immediately.