

<b>GEORGIA DEPARTMENT OF CORRECTIONS</b> Standard Operating Procedures		
<b>Functional Area:</b> Facilities Operations	<b>Reference Number:</b> IID01-0005	<b>Revises Previous Effective Date:</b> 7/15/02
<b>Subject:</b> ASSIGNMENT OF HIV POSITIVE INMATES TO TRANSITIONAL CENTERS		
<b>Authority:</b> Owens/Hodges	<b>Effective Date:</b> 8/01/09	Page 1 of 3

**I. POLICY:**

Inmates who have tested positive for the HIV Antibody may be considered for referral to Transitional Centers, if they meet all criteria outlined in SOP IID01-0002, are currently medically cleared, and have not been confined in segregated units as required by O.C.G.A. 42-5-52.1-(e).

**II. APPLICABILITY:**

All Transitional Centers.

**III. RELATED DIRECTIVES:**

- A. O.C.G.A.: 42-5-52.1-(e).
- B. GDC Rules: 125-2-1-.01(d), 125-4-4-.06
- C. GDC SOPS: IIA06-0001, IID01-0001, and IID01-0002.

**IV. DEFINITIONS:**

NONE

**V. ATTACHMENTS:**

Attachment 1 - Special Conditions of Work-Release for HIV-Infected Inmate

**VI. PROCEDURE:**

- A. Inmates who have tested positive for the HIV Antibody may be considered for referral to Transitional Centers if they meet the following criteria:

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1. Inmates must meet the criteria outlined in SOP IID01-0002, "Transitional Center Selection Criteria and Process."
  2. Inmates who have been assigned to segregated units, according to Georgia Law 42-5-52.1-(e), will not be eligible for placement in a Transitional Center.
  3. The prison physician must medically clear an inmate prior to transfer to a Transitional Center. The primary criteria for medical clearance will be an inmate's physical ability to maintain employment.
  4. Inmates 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.
- B. Inmates, referred for Center placement, must be medically approved by the prison physician prior to transfer to a Center. For those inmates on any HIV medication, a **(30-day)** supply of medication must be forwarded with the inmate to the Transitional Center.
- C. It is the policy of GDC to maintain the confidentiality of inmate medical record information. Such information will be released to parties outside the agency according to established medical practices and legal requirements. Information will be released to departmental personnel as necessary for them to perform their official duties.
1. Upon assignment to a Transitional Center, all HIV-infected inmates will sign an agreement of "Special Conditions for Work Release for HIV-infected Inmates" (Attachment 1).
  2. Transitional Center staff will not require an HIV-infected inmate 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.
  3. It will not be deemed inappropriate for HIV-infected inmates to seek employment in a high-risk industrial

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position. Employment in the construction industry is not deemed to be high-risk employment for the purposes of this policy.

- D. Prior to taking ANY passes or leave, the HIV-infected inmate 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.
  3. If the resident desires, he/she may sign a release of information authorizing the health care provider to make arrangements to notify the spouse. The health care provider will either notify the spouse personally, or will notify the local Public Health Department for follow-up.
  4. The health care provider will inform the Superintendent when the HIV-positive resident has been medically cleared for pass/leave.
- E. Fluid Precautions, Protective Equipment, and Education and Training: Facilities Division SOP IIA06-0001, "Management of HIV-Positive Inmates," provides detailed guidance regarding fluids precautions, protective equipment, and education and training.
- F. Inmates assigned to Centers will not be housed separately.

**VII. RETENTION SCHEDULE:**

Once completed, the attachment will become part of the Medical File and will be retained according to the official records' retention schedule of that file.