
HOUSE BILL 1003

State of Washington

60th Legislature

2007 Regular Session

By Representatives Darneille, Cody, Schual-Berke, Dickerson, Moeller, Flannigan and Kenney

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1 AN ACT Relating to sexually transmitted infections in correctional
2 facilities; adding a new section to chapter 72.09 RCW; creating a new
3 section; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a
6 disproportionately high rate of HIV and AIDS among incarcerated
7 persons. Approximately twenty-five percent of the HIV-positive
8 population of the United States passes through correctional facilities
9 each year. The bureau of justice statistics has determined that the
10 rate of confirmed AIDS cases is three times higher among incarcerated
11 offenders than in the general population.

12 (2) Studies suggest that other sexually transmitted infections,
13 such as gonorrhea, chlamydia, syphilis, genital herpes, viral
14 hepatitis, and human papillomavirus, also exist at a higher rate among
15 incarcerated persons than in the general population. Researchers
16 estimate that the rate of hepatitis C infection among incarcerated
17 persons is twenty times higher than that of the general population.

18 (3) The legislature intends to study and implement a uniform system
19 of sexually transmitted infections testing, reporting, and treatment.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.09 RCW
2 to read as follows:

3 (1) The secretary of the department of corrections or the
4 secretary's designee, in consultation with the secretary of the
5 department of health or the secretary's designee, shall develop and
6 implement a five-year strategic plan to reduce the prevalence and
7 spread of sexually transmitted infections in correctional facilities
8 operated by the department of corrections.

9 (2) The strategic plan shall include the following:

10 (a) A plan for improving prevention education, information, and
11 training offered to incarcerated offenders and correctional facility
12 staff, including information and training on sexual violence and the
13 spread of sexually transmitted infections, and comprehensive sexuality
14 education;

15 (b) A plan for reducing the incidence of sexual violence among
16 incarcerated offenders and correctional facility staff;

17 (c) A plan for expanding access to counseling and supportive
18 services related to sexually transmitted infections in correctional
19 facilities;

20 (d) A plan for testing incarcerated offenders for sexually
21 transmitted infections during intake, during regular health exams, and
22 prior to release, that:

23 (i) Is conducted in accordance with guidelines established by the
24 centers for disease control;

25 (ii) Includes pretest counseling;

26 (iii) Requires that incarcerated offenders are notified of their
27 option to decline testing at any time;

28 (iv) Requires that incarcerated offenders are confidentially
29 notified of their test results in a timely manner; and

30 (v) Ensures that incarcerated offenders testing positive for
31 sexually transmitted infections receive posttest counseling, care,
32 treatment, and supportive services;

33 (e) A plan for ensuring that correctional facilities have the
34 necessary medicine and equipment to treat and monitor sexually
35 transmitted infections, and for ensuring that incarcerated offenders
36 living with or testing positive for sexually transmitted infections
37 receive and have access to care and treatment services;

1 (f) A plan for developing and implementing culturally appropriate,
2 sensitive, and specific strategies to reduce the spread of sexually
3 transmitted infections among demographic groups heavily impacted by
4 sexually transmitted infections;

5 (g) A plan for establishing and strengthening linkages to local
6 communities and health facilities that provide counseling, testing,
7 care, and treatment services, and that may receive offenders recently
8 released from incarceration who are living with sexually transmitted
9 infections;

10 (h) Any other plans developed by the department of corrections for
11 reducing the spread of sexually transmitted infections or improving the
12 quality of health care in correctional facilities;

13 (i) A monitoring system that establishes performance goals related
14 to reducing the prevalence and spread of sexually transmitted
15 infections in correctional facilities and which, where feasible,
16 expresses such goals in quantifiable form;

17 (j) Performance indicators that measure or assess the achievement
18 of the performance goals described in (i) of this subsection;

19 (k) A plan for establishing a uniform collection system to assist
20 in developing and targeting counseling and treatment programs for
21 incarcerated offenders; and

22 (l) A detailed estimate of the funding necessary to implement the
23 plan for all five years, including the amount of funds required by
24 community organizations to implement the parts of the strategy that
25 they are involved in.

26 (3) The department of corrections and the department of health may
27 consult with individuals from the public and private sector in carrying
28 out the duties under this section.

29 (4) The secretary of the department of corrections shall report the
30 department's five-year strategic plan and recommendations to the
31 governor and the appropriate committees of the legislature, annually on
32 November 1st, regarding the implementation and effectiveness of the
33 strategy described in this section. The annual report shall include an
34 evaluation of the implementation of the strategic plan using the
35 monitoring system and performance indicators provided for in subsection
36 (2)(i) and (j) of this section.

1 (5) This section expires December 1, 2011.

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