



# Senate

General Assembly

**File No. 47**

February Session, 2002

Senate Bill No. 218

*Senate, March 18, 2002*

The Committee on Public Health reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

## **AN ACT REQUIRING THE TESTING OF INMATES FOR TUBERCULOSIS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) As used in this  
2 section:

3 (1) "Active tuberculosis" shall have the same meaning as "active  
4 tuberculosis", as defined in subdivision (1) of subsection (a) of section  
5 19a-265 of the general statutes; and

6 (2) "Infectious tuberculosis" shall have the same meaning as  
7 "infectious tuberculosis", as defined in subdivision (2) of subsection (a)  
8 of section 19a-265 of the general statutes.

9 (b) Any person who is convicted of an offense and sentenced to a  
10 term of confinement, shall, as a condition of such sentence, have a test  
11 to determine if such person has active or infectious tuberculosis. Any  
12 person testing positive for active or infectious tuberculosis shall be

13 subject to the provisions of sections 19a-255, 19a-256 and 19a-262 to  
14 19a-265, inclusive, of the general statutes.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

**PH**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

All inmates placed in a state correctional facility are currently tested for tuberculosis. The University of Connecticut Health Center (UCHC) conducts approximately 26,000 – 31,000 tuberculosis tests per year.

UCHC provides all medical services for offenders in the custody of the Department of Correction (DOC). The value of these services in the current fiscal year is \$71 million.

**OLR Bill Analysis**

SB 218

**AN ACT REQUIRING THE TESTING OF INMATES FOR TUBERCULOSIS****SUMMARY:**

This bill requires anyone sentenced to a term of confinement to undergo a tuberculosis test, as a condition of the sentence, to determine if he has active or infectious tuberculosis. (Apparently, the requirement only applies if the person is actually confined as distinguished from a prison sentence that the court suspends). A person testing positive for active or infectious tuberculosis is subject to existing law concerning plans of treatment; responsibility for costs of treatment; reporting of cases to the Department of Public Health; adequate instruction and necessary precautions by attending physicians; and tuberculosis control requirements and procedures, including emergency commitment (see COMMENT).

EFFECTIVE DATE: October 1, 2002

**ACTIVE AND INFECTIOUS TUBERCULOSIS*****Active Tuberculosis***

Active tuberculosis means (1) a specimen taken from a pulmonary, laryngeal, or other airway source has tested positive for tuberculosis and the person has not subsequently completed a standard recommended course of medication or (2) a specimen from an extra-pulmonary source has tested positive for tuberculosis, there is clinical evidence or clinical suspicion of pulmonary tuberculosis, and the person has not completed the recommended course of medication. Active tuberculosis is also where sputum (material spat out of the mouth), smears, or cultures are unobtainable, but the radiographic evidence, in addition to current clinical or laboratory evidence, is sufficient to establish a medical diagnosis of pulmonary tuberculosis (for which treatment is indicated and a subsequent course of therapy has not been completed).

***Infectious Tuberculosis***

Infectious tuberculosis is tuberculosis disease in a communicable or infectious state as determined by chest radiograph, bacteriologic examination of body tissue, or secretions or other diagnostic procedures. A person is considered infectious until sputum smears from s pulmonary, laryngeal, or other airway source collected on three consecutive days have tested negative for tuberculosis and the person shows clinical improvement, such as resolution of cough or fever.

**COMMENT**

It is not clear how these requirements and procedures would work with regard to a prisoner under the control of the Department of Correction.

Public Health Committee

Joint Favorable Report

Yea 24      Nay 0