



Ohio Legislative Service Commission

Bill Analysis

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H.B. 84

128th General Assembly
(As Introduced)

Reps. Boyd, S. Williams, B. Williams, Skindell, Domenick, Mallory

BILL SUMMARY

- Requires health-trained personnel to perform a medical, dental, and mental health screening on each inmate upon arrival at a jail and record the findings.
- Requires the screening described in the preceding dot point to include specified questions regarding the inmate's usage of drugs and alcohol.
- Requires the sheriff who oversees a jail to ensure that each health-trained personnel responsible for conducting the medical, dental, or health screening described in the second preceding dot point is trained as to the symptoms, consequences, and treatment options of withdrawal from benzodiazepines, alcohol, and other addictive drugs prior to that health-trained personnel conducting a medical, dental, or mental health screening.
- Requires the jail physician or physician servicing the jail to ensure that adequate measures are in place to identify and treat inmates at risk of withdrawal from addictive drugs.
- Requires, if health-trained personnel discover that an inmate is taking a benzodiazepine, the health-trained personnel to attempt to verify the prescription with the prescribing physician within 24 hours of the inmate being admitted to the jail.
- Requires, if the health-trained personnel are unable to verify the prescription referred to in the preceding dot point within 24 hours, the health-trained personnel to arrange for the inmate to meet with a psychiatrist within 72 hours of the inmate being admitted to the jail to ensure that, if the psychiatrist considers it necessary, the benzodiazepine is tapered off in a timely and clinically appropriate manner using appropriate, less addictive medication.

- Requires, if the health-trained personnel verify the benzodiazepine prescription within 24 hours of the inmate being admitted to the jail, the jail physician or physician servicing the jail to ensure that the benzodiazepine is tapered off in a timely and clinically appropriate manner using appropriate, less addictive medication.
- Specifies that the statutory provisions of the bill be commonly known as "Sean's Law."

CONTENT AND OPERATION

Required health screening for jail inmates

The bill requires "health-trained" personnel (see **COMMENT 1**) to perform a medical, dental, and mental health screening on each inmate upon arrival at a jail and requires the health-trained personnel to record the findings of the screening. The screening must include inquiry into the inmate's use of alcohol and drugs, including the type of alcohol or drug used, the frequency and amount used, the date or time of last use, and the history of any problems after ceasing use.

The bill requires the sheriff who oversees a jail to ensure that each health-trained personnel responsible for conducting the medical, dental, or mental health screening explained in the preceding paragraph is trained as to the symptoms, consequences, and treatment options of withdrawal from benzodiazepines (see **COMMENT 2**), alcohol, and other addictive drugs prior to that health-trained personnel conducting a medical, dental, or mental health screening. Additionally, the jail physician or physician servicing the jail must ensure that adequate measures are in place to identify and treat inmates at risk of withdrawal from addictive drugs. (R.C. 5120.101(B) and (C)(1).)

Tapering of benzodiazepine medication

If the health-trained personnel discover that an inmate is taking xanax, ativan, valium, or any other benzodiazepine, the bill requires the health-trained personnel to attempt to verify the prescription with the prescribing physician within 24 hours of the inmate being admitted to the jail. If the health-trained personnel are unable to verify the prescription in that time period, the health-trained personnel must arrange for the inmate to meet with a psychiatrist within 72 hours of the inmate being admitted to the jail to ensure that, if the psychiatrist considers it necessary, the benzodiazepine is tapered off in a timely and clinically appropriate manner using appropriate, less addictive medication. If the health-trained personnel verify the prescription within 24 hours of the inmate being admitted to the jail, the jail physician or physician servicing

the jail must ensure that the benzodiazepine is tapered off in a timely and clinically appropriate manner using appropriate, less addictive medication. (R.C. 5120.101(C)(2).)

Application of bill

All of the preceding paragraphs apply to jails that are used primarily to confine inmates charged with or convicted of any crime in Ohio or under the laws of the United States for 120 hours or more (R.C. 5120.101(A)). They do not apply to other detention facilities such as municipal-county, multicounty-municipal, or multicounty correctional centers and workhouses.

The bill specifies that all of its statutory provisions be commonly known as "Sean's Law" (R.C. 5120.101(D)).

Background

The Revised Code does not currently contain minimum standards for jails in Ohio. Current law requires the Director of Rehabilitation and Correction, by administrative rule, to promulgate such standards for jails in Ohio. (R.C. 5120.10(A).) Administrative code section 5120:1-8-09 currently contains those standards.

COMMENT

1. The bill defines "health-trained personnel" to mean any member of the jail staff who is trained in limited aspects of health care, including any correctional officers and other personnel approved by the jail physician or physician servicing the jail (R.C. 5120.101(E)).

2. Merriam-Webster's Collegiate Dictionary, 10th edition, defines "benzodiazepine" as any group of aromatic lipophilic amines (as diazepam and chlordiazepoxide) used esp. as tranquilizers.

HISTORY

ACTION	DATE
Introduced	03-18-09

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