



Ohio Legislative Service Commission

Bill Analysis

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H.B. 249

129th General Assembly
(As Introduced)

Reps. Boyd, Letson, Pillich, Murray, Antonio

BILL SUMMARY

- Requires health-trained personnel to (1) perform a medical, dental, and mental health screening that includes specified questions regarding drug and alcohol usage on each inmate upon arrival at a jail and (2) record the findings.
- Requires the sheriff who oversees a jail to ensure that health-trained personnel responsible for conducting the screenings are trained as to the symptoms, consequences, and treatment options of withdrawal from benzodiazepines, alcohol, and other addictive drugs prior to conducting a 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, that they attempt to verify the prescription with the prescribing physician within 24 hours of the inmate being admitted to the jail, and specifies procedures for ensuring 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 to perform a medical, dental, and mental health screening on each inmate upon arrival at a jail and record the findings of the screening. Under the bill, "health-trained personnel" means members of the jail staff

who are trained in limited aspects of health care, including any correctional officers and other personnel approved by the jail physician or physician servicing the jail. The screening must include inquiry into the inmate's use of alcohol and drugs, including (1) the type of alcohol or drug used, (2) the frequency and amount used, (3) the date or time of last use, and (4) the history of any problems after ceasing use.¹

The bill requires the sheriff who oversees a jail to ensure that health-trained personnel responsible for conducting medical, dental, or mental health screenings on each inmate are trained as to the symptoms, consequences, and treatment options of withdrawal from benzodiazepines, alcohol, and other addictive drugs prior to conducting a screening. "Benzodiazepines" are a class of drugs that act as tranquilizers and are commonly used in the treatment of anxiety.² 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.³

Tapering of benzodiazepine medication

If health-trained personnel discover that an inmate is taking Xanax, Ativan, Valium, or any other benzodiazepine, the bill requires them to attempt to verify the prescription with the prescribing physician within 24 hours of the inmate being admitted to the jail. The bill establishes procedures that must be followed based on whether the prescription is verified:

--If the prescription cannot be verified in that time period, health-trained personnel must arrange for the inmate to meet with a psychiatrist 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. This meeting must take place within 72 hours of the inmate being admitted to the jail.

--If the prescription is verified within the 24-hour time period, 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.⁴

¹ R.C. 5120.101(C)(1) and (E).

² MedTerms Dictionary, *Definition of Benzodiazepines* (last visited May 7, 2012), available at <<http://www.medterms.com/script/main/art.asp?articlekey=9950>>.

³ R.C. 5120.101(B).

⁴ R.C. 5120.101(C)(2).

Application of bill

The bill's provisions 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.⁵

The bill specifies that all of its statutory provisions be commonly known as "Sean's Law."⁶

HISTORY

ACTION	DATE
Introduced	06-01-11

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⁵ R.C. 5120.101(A).

⁶ R.C. 5120.101(D).

