

SENATE BILL No. 133

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-10-4-9.

Synopsis: Medical records in correctional facilities. Provides for the maintenance and transfer of a criminal offender's mental health records.

Effective: July 1, 2007.

Miller

January 11, 2007, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

C
O
P
Y



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

C
o
p
y

SENATE BILL No. 133



A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-4-9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 9. (a) As used in this section, "mental health record"**
4 **has the meaning set forth in IC 16-18-2-226.**

5 (b) **A psychiatrist or a mental health facility may provide a copy**
6 **of an offender's mental health record, with or without the**
7 **offender's consent, to a facility or an agency responsible for the**
8 **incarceration of the offender. Any mental health records provided**
9 **under this subsection shall become part of the offender's health**
10 **record maintained by the facility or agency responsible for the**
11 **incarceration of the offender.**

12 (c) **If an offender is transferred to a different facility, the**
13 **offender's mental health records must be provided to the facility**
14 **that is used to:**

- 15 (1) **house; or**
- 16 (2) **provide mental health treatment to;**
- 17 **the offender, including a county jail or a community mental health**



1 center.
2 (d) The department shall maintain health records for each
3 offender incarcerated by the department. After an offender is
4 released from incarceration, the department shall provide the
5 offender's mental health records, if any, to a mental health facility
6 or mental health provider that is providing mental health
7 treatment to the offender.

**C
o
p
y**

