



## Exempt Action Final Regulation Agency Background Document

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| <b>Agency name</b>                                 | Board of Corrections                              |
| <b>Virginia Administrative Code (VAC) citation</b> | 6 VAC15-40  |
| <b>Regulation title</b>                            | Minimum Standards for Jails and Lockups           |
| <b>Action title</b>                                | Correction of tuberculosis skin test requirements |
| <b>Final agency action date</b>                    | March 5, 2013                                     |
| <b>Document preparation date</b>                   | April 11, 2013                                    |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

The existing regulation, 6VAC15-40-370 part 5. requires that "All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility."

This requirement would result in excessive expense to the jail and discomfort to the inmate for unnecessary tests if the inmate is released from the jail and rearrested a short time later.

The correction is to amend this section to read "All inmates shall receive a tuberculosis (TB) skin test within seven days of admission to the facility *unless it can be documented that the inmate has received a TB skin test within the past 12 months or has tested positive to the TB skin test at any time in the past. In such cases, the facility's physician shall determine what actions, if any, are necessary to safeguard against the spread of the disease.*"

### Statement of final agency action

At its March 20, 2013 meeting, the Board of Corrections passed a motion to amend 6 VAC 15-40, *Minimum Standards for Jails and Lockups*, by amending §370, part 5.

**Family impact**

There is no anticipated family impact from this regulatory action.