

Chapter 148.
State Prison System.
Article 2.
Prison Regulations.

§ 148-19. Health services.

(a) The general policies, rules, and regulations of the Division of Prisons of the Department of Adult Correction shall prescribe standards for health services to prisoners, which shall include preventive, diagnostic, and therapeutic measures on both an outpatient and a hospital basis, for all types of patients. A prisoner may be taken, when necessary, to a medical facility outside the State prison system. The Division of Prisons of the Department of Adult Correction shall seek the cooperation of public and private agencies, institutions, officials, and individuals in the development of adequate health services to prisoners.

(b) Upon request of the Secretary of the Department of Adult Correction, the Secretary of Health and Human Services may detail personnel employed by the Department of Health and Human Services to the Division of Prisons of the Department of Adult Correction for the purpose of supervising and furnishing medical, psychiatric, psychological, dental, and other technical and scientific services to the Division of Prisons of the Department of Adult Correction. The compensation, allowances, and expenses of the personnel detailed under this section may be paid from applicable appropriations to the Department of Health and Human Services, and may be reimbursed from applicable appropriations to the Division of Prisons of the Department of Adult Correction. The Secretary of the Department of Adult Correction may make similar arrangements with any other agency of State government able and willing to aid the Division of Prisons of the Department of Adult Correction to meet the needs of prisoners for health services.

(c) Each prisoner committed to the Division of Prisons of the Department of Adult Correction shall receive a physical and mental examination by a health care professional authorized by the North Carolina Medical Board to perform the examinations as soon as practicable after admission and before being assigned to work. The prisoner's work and other assignments shall be made with due regard for the prisoner's physical and mental condition.

(d) The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services shall adopt standards for the delivery of mental health and intellectual and other developmental disability services to inmates in the custody of the Division of Prisons of the Department of Adult Correction. The Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services shall give the Secretary of the Department of Adult Correction an opportunity to review and comment on proposed standards prior to promulgation of the standards; however, final authority to determine the standards remains with the Commission. The Secretary of the Department of Health and Human Services shall designate an agency or agencies within the Department of Health and Human Services to monitor the implementation by the Division of Prisons of the Department of Adult Correction of these standards and of substance abuse standards adopted by the Division of Prisons of the Department of Adult Correction. (1917, c. 286, s. 22; C.S., s. 7727; 1925, c. 163; 1933, c. 172, s. 18; 1957, c. 349, s. 10; 1967, c. 996, s. 4; 1973, c. 476, s. 133; c. 1262, s. 10; 1977, c. 332; c. 679, s. 7; 1981, c. 51, s. 6; c. 707, ss. 1, 2; 1985, c. 589, s. 55.1; 1991, c. 405, s. 1; 1995, c. 94, s. 36; 1997-443, s. 11A.118(a); 2011-145, s. 19.1(h), (i); 2011-266, s. 1.17(b); 2012-83, s. 61; 2013-360, s. 12A.12; 2017-186, s. 2(iiiiii); 2019-76, s. 28; 2021-180, s. 19C.9(o), (p).)