

October 9, 2013

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.101

RULE TITLE: Care of Inmates

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to explicitly disallow the wearing of body piercings and explain the removal process of body piercings if the inmate is unable to remove the body piercing himself.

SUBJECT AREA TO BE ADDRESSED: Care of Inmates

RULEMAKING AUTHORITY: 944.09, 945.215 FS

LAW IMPLEMENTED: 944.09, 945.215 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.101 Care of Inmates.

(1) – (12) No change.

(13) Inmates are not authorized to have any body piercings. Any body piercing observed by staff – including those found during strip search – shall be removed by the inmate and disposed of in accordance with Rule 33-602.201,

F.A.C.

(a) Inmates who have body piercings that cannot be removed without medical intervention shall be escorted to medical to have the piercing removed.

(b) If the piercing cannot be immediately removed by medical staff, the inmate will be placed in Administrative Confinement in accordance with Rule 33-602.220, F.A.C., pending medical review and subsequent removal of the

body piercing.

Rulemaking Authority 944.09, 945.215 FS. Law Implemented 944.09, 945.215 FS. History—New 10-8-76, Amended 4-19-79, 4-24-80, 10-14-84, 1-9-85, Formerly 33-3.02, Amended 11-3-87, 10-6-88, 7-23-89, 8-27-91, 3-30-94, 11-13-95, 6-2-99, Formerly 33-3.002, Amended 11-21-00, 1-25-01, 1-19-03, 9-23-03, 3-5-06, 10-23-06, 1-18-07, 5-13-08, 6-22-10, 5-24-11, 2-6-12, 5-27-12, 3-3-13, 10-14-13,\_\_\_\_\_.