

75-5209. Transfer of inmates for observation and diagnosis or treatment; costs; correspondence by inmates. The secretary of corrections may arrange for the transfer of an inmate for observation and diagnosis or treatment to other appropriate state institutions with the prior consent of the administrators of the agencies. The administrator of such institution shall accept the transfer of such inmate unless such administrator shows that no facilities are available for the accommodation of such inmate and shall have access to any case study, diagnosis or report of the Topeka correctional facility which relates to an inmate transferred to such institution. While the inmate is in another institution the inmate's sentence shall continue to run. When, in the judgment of the administrator of the institution to which an inmate has been transferred, the inmate has recovered from the condition which occasioned the transfer, the administrator shall provide for the inmate's return to the secretary, unless the inmate's sentence has expired.

The costs of transfer as well as the transportation of the inmate to the appropriate state institution shall be borne by the correctional institution from which such inmate is transferred. No inmate shall receive treatment at the state security hospital after expiration of the inmate's sentence. If the inmate shall be in need of continued treatment for mental illness at the expiration of the inmate's term of confinement, petition to obtain such treatment for the inmate shall be filed pursuant to the care and treatment act for mentally ill persons.

Any inmate transferred to the state security hospital pursuant to this section may correspond freely, without censorship, with any person, except that any such incoming correspondence or parcels may be opened and examined for the purpose of intercepting any items which the superintendent of such institution has declared to be contraband.

History: L. 1973, ch. 339, § 9; L. 1975, ch. 474, § 1; L. 1986, ch. 211, § 38; L. 1990, ch. 309, § 47; L. 1991, ch. 260, § 9; L. 1996, ch. 167, § 62; Apr. 18.