

~~conducting of certain tests by the hospital; providing a certain criminal and civil penalty for violations of certain provisions of this Act; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date each year;~~ defining a public safety worker; and generally relating to conducting tests on blood samples or other body fluids of individuals in a hospital for the presence of antibodies to HIV.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 18-338.3

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

18-338.3.

- (a) (1) In this section the following words have the meanings indicated.
- (2) (i) “Body fluids” means:
1. Any fluid containing visible blood, semen, or vaginal secretions; or
 2. Cerebrospinal fluid, synovial fluid, or amniotic fluid.
- (ii) “Body fluids” does not include saliva, stool, nasal secretions, sputum, tears, urine, or vomitus.
- (3) “Exposure” means as between a patient and a health care provider:
- (i) Percutaneous contact with blood or body fluids;
 - (ii) Mucocutaneous contact with blood or body fluids;
 - (iii) Open wound, including dermatitis, exudative lesions, or chapped skin, contact with blood or body fluids for a prolonged period; or
 - (iv) Intact skin contact with large amounts of blood or body fluids for a prolonged period.
- (4) “First responder” means an individual who:
- (i) Is licensed or certified under § 13-516 of the Education Article;
- and
- (ii) Provides services to an individual before the individual is admitted to a hospital.