

certain intermediary between a certain public safety worker and a certain officer; providing for a certain limitation of liability for certain individuals; authorizing certain individuals to petition a certain court for an order requiring a certain patient to provide a blood sample for HIV testing and disclosure of the test results under certain circumstances; providing that certain individuals in a hospital are not required to notify a certain patient of the results of an HIV test under certain circumstances requiring that certain patients be informed of certain laws under certain circumstances; requiring certain individuals to attempt to notify certain patients of the results of certain tests in a certain manner and provide counseling to certain individuals under certain circumstances; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems to jointly develop certain regulations on the collection of certain information; defining a certain term; requiring the Department and the Maryland Institute for Emergency Medical Services Systems to report certain information to the Governor and the General Assembly on or before certain dates; and generally relating to HIV testing on blood samples from individuals in a hospital.

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