

chemoprophylaxis treatment for the health care ~~provider or first responder~~  
PROVIDER, FIRST RESPONDER, OR PUBLIC SAFETY WORKER;

(2) (I) Informed consent, or substitute consent as required under § 18-338.1(c) of this title, of the patient to test a blood sample of the patient for the presence of HIV was sought and the patient was unavailable or unable to consent; OR

(II) INFORMED CONSENT, OR SUBSTITUTE CONSENT AS REQUIRED UNDER § 18-338.1(C) OF THIS TITLE, OF THE PATIENT TO TEST A BLOOD SAMPLE ALREADY OBTAINED FROM THE PATIENT FOR THE PRESENCE OF HIV WAS SOUGHT, AND THE PATIENT REFUSED, AND THE PATIENT WAS INFORMED OF THE PROVISIONS OF THIS SUBSECTION;

~~(3) THE PATIENT HAS BEEN INFORMED OF THE PROVISIONS OF THIS SUBSECTION;~~

~~(3) (4) (3)~~ (i) In accordance with hospital procedures, the health care provider involved in the exposure has given prompt notice of the exposure to the designated hospital infectious disease/communicable disease officer where the exposure occurred; or

(ii) 1. A. The first responder involved in the exposure has given prompt notice to the medical director with jurisdiction over the first responder; and OR

B. THE PUBLIC SAFETY WORKER INVOLVED IN THE EXPOSURE HAS GIVEN PROMPT NOTICE TO THE MEDICAL DIRECTOR WITH JURISDICTION OVER THE PUBLIC SAFETY WORKER; AND

2. The medical director has given prompt notice to the designated hospital infectious disease/communicable disease officer where the patient is admitted;

~~(4) (5) (4)~~ The health care provider, ~~or~~ first responder, OR PUBLIC SAFETY WORKER involved in the exposure has given informed consent and has submitted a blood sample to be tested for the presence of HIV; and

~~(5) (6) (5)~~ The designated hospital infectious disease/communicable disease officer has made a determination, in accordance with the Centers for Disease Control and Prevention recommendations, that the testing of blood samples or other body fluids of the patient for the presence of antibodies to the human immunodeficiency virus (HIV) would be helpful in managing the risk of disease and health outcome of the health care provider, ~~or~~ first responder, OR PUBLIC SAFETY WORKER.

(c) If there has been an exposure between a first responder and an individual OR A PUBLIC SAFETY WORKER AND AN INDIVIDUAL before the admission of the individual to a hospital:

(1) The first responder OR PUBLIC SAFETY WORKER shall give notice to the first responder's OR PUBLIC SAFETY WORKER'S medical director in accordance with subsection (b)(3)(ii)1 of this section;