

(8) "PUBLIC SAFETY WORKER" MEANS:

(I) ANY CAREER OR VOLUNTEER MEMBER OF A FIRE, RESCUE OR EMERGENCY MEDICAL SERVICES DEPARTMENT, COMPANY, SQUAD, OR AUXILIARY;

(II) ANY LAW ENFORCEMENT OFFICER; OR

(III) THE STATE FIRE MARSHAL OR A SWORN MEMBER OF THE STATE FIRE MARSHAL'S OFFICE.

(b) Notwithstanding the provisions of § 18-338.1 of this subtitle, the designated infectious disease/communicable disease officer of a hospital shall order a test for the presence of antibodies to the human immunodeficiency virus (HIV) under subsection (d) of this section when:

(1) There has been an exposure in a hospital between a patient and a health care provider, [or] an exposure between the patient and a first responder, OR AN EXPOSURE BETWEEN A PATIENT AND A PUBLIC SAFETY WORKER before admission of the patient to a hospital, that, in accordance with the Centers for Disease Control and Prevention recommendations, would warrant recommending or offering chemoprophylaxis treatment for the health care provider, [or] first responder, OR PUBLIC SAFETY WORKER;

(2) 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;

(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. The first responder involved in the exposure has given prompt notice to the medical director with jurisdiction over the first responder; [and]

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

(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) 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