

(1) THERE HAS BEEN AN EXPOSURE INVOLVING THE INMATE;

(2) THE EXPOSURE OCCURRED IN CONNECTION WITH THE INMATE'S VIOLATION OF INSTITUTIONAL REGULATIONS;

(3) THE INMATE HAS BEEN FOUND GUILTY OF THE VIOLATION OF INSTITUTIONAL REGULATIONS DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION;

(4) THE CORRECTIONAL EMPLOYEE INVOLVED IN THE EXPOSURE HAS GIVEN WRITTEN NOTICE OF THE EXPOSURE TO THE MANAGING OFFICIAL OF THE CORRECTIONAL INSTITUTION, OR THE OFFICIAL'S DESIGNEE; AND

(5) THE EXPOSURE IS CONFIRMED BY A HEALTH CARE PROVIDER.

(C) THE CORRECTIONAL INSTITUTION SHALL COLLECT THE BLOOD SAMPLE FROM THE INMATE, AND SHALL CAUSE HAVE THE SAMPLE TO BE TESTED FOR HUMAN IMMUNODEFICIENCY VIRUS (HIV) BY A TEST AND TEST PROCEDURE APPROVED BY THE DEPARTMENT.

(D) THE CORRECTIONAL EMPLOYEE SHALL BE NOTIFIED OF THE RESULTS OF THE TEST FOR THE PRESENCE OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) CONDUCTED UNDER THE PROVISIONS OF THIS SECTION.

(E) THE NOTIFICATION REQUIRED UNDER SUBSECTION (D) OF THIS SECTION SHALL:

(1) BE MADE WITHIN 48 HOURS OF CONFIRMATION OF THE INMATE'S DIAGNOSIS;

(2) INCLUDE SUBSEQUENT WRITTEN CONFIRMATION OF THE POSSIBLE EXPOSURE TO HUMAN IMMUNODEFICIENCY VIRUS (HIV); AND

(3) TO THE EXTENT POSSIBLE, BE MADE IN A MANNER THAT WILL PROTECT THE CONFIDENTIALITY OF THE CORRECTIONAL EMPLOYEE, AND

(4) TO THE EXTENT POSSIBLE, BE CONDUCTED IN A MANNER THAT WILL PROTECT THE CONFIDENTIALITY OF THE INMATE AND THE INMATE.

(F) IF THE RESULTS OF THE BLOOD SAMPLE TEST ARE POSITIVE FOR THE PRESENCE OF HUMAN IMMUNODEFICIENCY VIRUS (HIV), THEN THE CORRECTIONAL EMPLOYEE AND THE INMATE SHALL BE PROVIDED APPROPRIATE COUNSELING.

(G) ALL CORRECTIONAL INSTITUTIONS SHALL DEVELOP WRITTEN PROCEDURES TO CARRY OUT THE PROVISIONS OF THIS SECTION.

(H) A HEALTH CARE PROVIDER ACTING IN GOOD FAITH TO PROVIDE NOTIFICATION IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD