

WILLIAM DONALD SCHAEFER, Governor

AUTHORIZED IN THIS STATE TO PROVIDE HEALTH CARE SERVICES AND IS UNDER CONTRACT WITH OR OPERATED BY THE CORRECTIONAL FACILITY.

(B) AN INMATE SHALL FURNISH TO THE CORRECTIONAL INSTITUTION A BLOOD SAMPLE TO BE TESTED FOR THE PRESENCE OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) WHEN:

(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 HAVE THE SAMPLE 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 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.