

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 855(i).

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that this section does not apply to a juvenile proceeding.

Defined term: "Prohibited exposure" § 11-107

11-116. IMMUNITY FOR STATE EMPLOYEES AND AGENTS.

AN AGENT OR EMPLOYEE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR ANY OTHER STATE EMPLOYEE WHO COMPLIES WITH PART II OF THIS SUBTITLE HAS THE IMMUNITY FROM LIABILITY DESCRIBED UNDER § 5-522 OF THE COURTS ARTICLE FOR ACTIONS TAKEN IN ACCORDANCE WITH PART II OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 855(j) and (a)(6).

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that this section does not extend immunity from liability to local government employees.

11-117. REGULATIONS.

THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADOPT REGULATIONS TO CARRY OUT PART II OF THIS SUBTITLE, INCLUDING REGULATIONS ON:

(1) THE CONFIDENTIALITY OF HIV TEST RESULTS; AND

(2) GIVING THE VICTIM OR VICTIM'S REPRESENTATIVE COUNSELING REGARDING HIV DISEASE, HIV TESTING, AND REFERRAL FOR APPROPRIATE HEALTH CARE AND SUPPORT SERVICES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 855(f) and (a)(6).

Regulations adopted by the Department of Health and Mental Hygiene under this section must conform to federal government requirements under 42 U.S.C. § 3756(f). *See* Section 2, Chapters 90 and 91, Acts of 1992.

In the introductory language of this section, the reference to the adoption of regulations by the Department of Health and Mental Hygiene "to carry out" this section is substituted for the former reference to the adoption of regulations "to implement" this section to conform to the terminology used throughout this article. *See* General Revisor's Note to article.