

FINAL BILL REPORT

HB 1454

C 232 L 11
Synopsis as Enacted

Brief Description: Regarding testing for bloodborne pathogens.

Sponsors: Representatives Van De Wege, Hinkle, Green, Jinkins, Cody, Takko, Hurst, Liias, Hope, Stanford and Overstreet.

House Committee on Health Care & Wellness
Senate Committee on Health & Long-Term Care

Background:

Law enforcement officers, firefighters, health care providers, health care facility staff, Department of Corrections staff, jail staff, and other categories of employment that the State Board of Health determines are at risk of substantial exposure to human immunodeficiency virus (HIV) (collectively, "at-risk employees"), upon a substantial exposure to another person's bodily fluids in the course of their employment, may request a state or local health official to order testing for HIV upon the person to whose bodily fluids they were exposed. If the state or local health official refuses, then the at-risk employee may petition the superior court for a hearing as to whether or not testing should be ordered. The standard of review for the superior court is whether substantial exposure occurred and whether it presents a possible risk of transmission of HIV. If testing is ordered by the state or local health officer, the person who is to be tested may also petition the superior court, under the same standard of review, to have the request for testing denied.

Summary:

Law enforcement officers, firefighters, health care providers, health care facility staff, Department of Corrections staff, jail staff, and other categories of employment that the State Board of Health determines are at risk of substantial exposure to human immunodeficiency virus (HIV) (collectively, "at-risk employees") who are eligible to request an order for HIV testing upon a person to whose bodily fluids he or she has been exposed may also request a state or local health official to order testing for bloodborne pathogens. Court orders for the mandatory testing of an individual for HIV may also include additional testing for other bloodborne pathogens. The exception to privacy laws regarding the disclosure of information related to HIV for at-risk employees also applies to the disclosure of test results for bloodborne pathogens.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Votes on Final Passage:

House	93	0
Senate	49	0

Effective: July 22, 2011