

5172-S

Sponsor(s): Senate Committee on Human Services & Corrections
(originally sponsored by Senators Zarelli, Goings, Oke, Stevens and Rasmussen)

Brief Title: Changing provisions relating to HIV testing of offenders and arrested or detained persons.

SB 5172-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that local health departments authorized under chapter 70.24 RCW shall conduct or cause to be conducted pretest counseling, HIV testing, and posttest counseling of all persons who are offenders or arrested or detained persons and who have subjected a law enforcement officer, fire fighter, health care provider, health care facility staff person, department of corrections staff person, jail staff person, or other category of employee, as determined by the board, to substantial exposure to their bodily fluids. Persons tested under this provision shall also be tested for hepatitis B and hepatitis C.

Provides that any employee who has experienced a substantial exposure to the bodily fluids of an offender, arrested person, or detained person may seek the consent of the person to whose bodily fluids he or she was exposed for HIV and hepatitis testing. If the person consents to be tested, he or she shall consent to disclosure of the results of the test by the public health official to the person exposed by the fluids and as otherwise required by law.

Declares that, if the person does not consent to testing or is released prior to a request for consent, the officer or identified employee may petition the court for an order that the local health department shall conduct or cause to be conducted pretest counseling, testing for HIV, hepatitis B, and hepatitis C, and posttest counseling for the person to whose bodily fluids they were substantially exposed, within forty-eight hours after exposure.