

|->

Title 22@ Social Security

|->

Division 2@ Department of Social Services-Department of Health Services

|->

Part 2@ Health and Welfare Agency-Department of Health Services Regulations

|->

Subdivision 6@ Preventive Medical Services

|->

Chapter 8@ Human Immunodeficiency Virus (HIV) Testing of Inmates in Correctional Facilities

|->

Article 2@ PROCEDURES

|->

Section 41116@ Determining the Need for an HIV Test

41116 Determining the Need for an HIV Test

(a)

The chief medical officer shall take into consideration the following factors in ordering an HIV test of an inmate or other person who is the subject of the report filed, regardless of whether the report filed contains a request for HIV testing: (1) Whether an exchange of body fluids occurred which could have resulted in HIV infection. In determining whether an HIV test is warranted, "body fluids" considered for testing shall be limited to the fluids listed in section 41102(a). Transmission of body fluids from one person to another shall have occurred either by: (A) Incidents involving injury to inmates or staff in which body fluids may have been exchanged. (B) Incidents involving injecting of any substances using sharps, needles, syringes, or tattooing instruments. (C) Incidents involving sexual activity which resulted in exchange of body fluids. (2) Whether the person displays medical conditions or clinical findings symptomatic of HIV infection. (3) Whether, as a result of the reported incident, the health of the institution staff or inmates may have been jeopardized.

(1)

Whether an exchange of body fluids occurred which could have resulted in HIV infection. In determining whether an HIV test is warranted, "body fluids" considered for testing shall be limited to the fluids listed in section 41102(a). Transmission of body fluids from one person to another shall have occurred either by: (A) Incidents involving injury to

inmates or staff in which body fluids may have been exchanged. (B) Incidents involving injecting of any substances using sharps, needles, syringes, or tattooing instruments. (C) Incidents involving sexual activity which resulted in exchange of body fluids.

(A)

Incidents involving injury to inmates or staff in which body fluids may have been exchanged.

(B)

Incidents involving injecting of any substances using sharps, needles, syringes, or tattooing instruments.

(C)

Incidents involving sexual activity which resulted in exchange of body fluids.

(2)

Whether the person displays medical conditions or clinical findings symptomatic of HIV infection.

(3)

Whether, as a result of the reported incident, the health of the institution staff or inmates may have been jeopardized.