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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/22/2008	.	
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1 The Committee on Health and Human Services Appropriations
2 (Peaden) recommended the following **amendment**:

3
4 **Senate Amendment**

5 Delete line(s) 116-148
6 and insert:

7 (a) In any case in which a law enforcement officer;
8 employee of an emergency medical transport service, private
9 transport company contracting with the county, or mobile crisis
10 response service; or other designated agent of the county,
11 department, or the court comes into contact with or is exposed to
12 body fluids, to which universal precautions apply as outlined in
13 s. 381.004(2)(c), of a person being taken into custody for the
14 purpose of delivering him or her to a receiving or treatment
15 facility, hospital, community mental health center, or other
16 facility authorized to provide mental health evaluations or
17 services pursuant to this chapter, the law enforcement officer,



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18 employee, or agent may seek a court order directing that the
19 person who is the source of the significant exposure undergo HIV
20 testing. A sworn statement by the law enforcement officer,
21 employee, or agent that a significant exposure has occurred
22 constitutes probable cause for the issuance of the order by the
23 court. The order shall direct the person to undergo HIV testing
24 within 48 hours after the issuance of the court order.

25 1. The testing shall be performed in accordance with s.
26 381.004.

27 2. The results of the test shall be disclosed to the law
28 enforcement officer, employee, or agent no later than 2 weeks
29 after the court receives the results.

30 3. The results of the test are not admissible in any
31 subsequent court proceeding involving the person being
32 transported.

33 (b) A law enforcement officer; employee of an emergency
34 medical transport service, private transport company contracting
35 with the county, or mobile crisis response service; or other
36 designated agent of the county, department, or the court who
37 comes into contact with or is exposed to body fluids, to which
38 universal precautions apply as outlined in s. 381.004(2)(c), of a
39 person being transported pursuant to this section and who
40 requests HIV testing may obtain such test from his or her
41 respective county health department at no cost.