



House of Representatives *State of Utah*

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February 6, 2017

Mr. Speaker,

The Health and Human Services Committee reports a favorable recommendation on **H.B. 234**, POST-EXPOSURE BLOOD TESTING AMENDMENTS, by Representative E. H. Redd, with the following amendments:

1. *Page 3, Line 82 through Page 4, Line 101:*

- 82 (2) (a) A law enforcement agency may submit on behalf of the petitioner ~~{who is~~
83 ~~an~~
83 ~~emergency services provider or first aid volunteer}~~ by electronic or other means an
ex parte
84 request for a warrant ordering a blood draw from the respondent.
85 ~~{(b) A health care provider, or the health care provider's designee, may~~
86 ~~submit by~~
86 ~~electronic or other means an ex parte request for a warrant ordering a blood draw~~
87 ~~from the~~
87 ~~respondent.~~
88 ~~—+}~~ (b) ~~{+(c)}~~ The court or magistrate shall issue a warrant ordering the
respondent to
89 provide a specimen of the respondent's blood within 24 hours, and that reasonable force
may be
90 used, if necessary, if the court or magistrate finds that:
91 (i) the petitioner was significantly exposed during the course of performing the
92 petitioner's duties as an emergency services ~~[or] provider~~, first aid ~~[provider] volunteer, or~~
93 ~~health care provider;~~
94 (ii) the respondent has refused consent to the blood draw or is unable to give
consent;
95 (iii) there may not be an opportunity to obtain a sample at a later date; and
96 (iv) a delay in administering available FDA-approved post-exposure treatment or

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97 prophylaxis could result in a lack of effectiveness of the treatment or prophylaxis.
98 {+} (c) {+(d)} The petitioner shall request a person authorized under
Section 41-6a-523
99 perform the blood draw.
100 {+} (d) {+(e)} A sample drawn in accordance with a warrant following an
ex parte request
101 shall be sent to the Department of Health for testing.

Respectfully,

Brad M. Daw
Chair

Voting: 12-0-0

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