

# H.B. 234

## POST-EXPOSURE BLOOD TESTING AMENDMENTS

Representative **Edward H. Redd** proposes 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 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 submit by~~  
86 ~~electronic or other means an ex parte request for a warrant ordering a blood draw 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  
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.