241.335 TESTING OF AVAILABLE BLOOD.

Subdivision 1. **Procedures with consent.** If a sample of the inmate's blood is available, the correctional facility shall ensure that blood is tested for blood-borne pathogens with the consent of the inmate, provided the conditions in sections 241.331 and 241.332 are met.

Subd. 2. **Procedures without consent.** If the inmate has provided a blood sample, but does not consent to blood-borne pathogens testing, the correctional facility shall ensure that the blood is tested for blood-borne pathogens if the corrections employee requests the test, provided all of the following criteria are met:

(1) the corrections employee and correctional facility have documented exposure to blood or body fluids during performance of the employee's work duties;

(2) a licensed physician has determined that a significant exposure has occurred under section 241.341 and has documented that blood-borne pathogen test results are needed for beginning, modifying, continuing, or discontinuing medical treatment for the corrections employee as recommended by the most current guidelines of the United States Public Health Service;

(3) the corrections employee provides a blood sample for testing for blood-borne pathogens as soon as feasible;

(4) the correctional facility asks the inmate to consent to a test for blood-borne pathogens and the inmate does not consent;

(5) the correctional facility has provided the inmate and the corrections employee with all of the information required by section 241.332; and

(6) the correctional facility has informed the corrections employee of the confidentiality requirements of section 241.339.

Subd. 3. **Follow-up.** The correctional facility shall inform the inmate whose blood was tested of the results. The correctional facility shall inform the corrections employee's health care provider of the inmate's test results without the inmate's name or other uniquely identifying information.

History: *2000 c 422 s 32; 2015 c 21 art 1 s 35*