

1 A bill to be entitled
 2 An act relating to the testing of inmates for HIV
 3 infection in county and municipal detention facilities;
 4 amending s. 951.27, F.S.; authorizing counties and
 5 municipalities to participate in a program to test each
 6 inmate for HIV before the inmate is released if the
 7 inmate's HIV status is unknown; providing certain
 8 exceptions; requiring that county and municipal detention
 9 facilities notify the Department of Health and the county
 10 health department in the county where the inmate plans to
 11 reside following release if the inmate is HIV positive;
 12 requiring the detention facilities to provide special
 13 transitional assistance to an inmate who is HIV positive;
 14 providing for immunity for complying entities; amending s.
 15 381.004, F.S.; providing that informed consent is not
 16 required for an HIV test of an inmate before the inmate's
 17 release from a municipal or county detention facility;
 18 providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Section 951.27, Florida Statutes, is amended to
 23 read:

24 951.27 Blood tests of inmates.--

25 (1) Each county and each municipal detention facility
 26 shall have a written procedure developed, in consultation with
 27 the facility medical provider, establishing conditions under
 28 which an inmate will be tested for infectious disease, including

29 human immunodeficiency virus pursuant to s. 775.0877, which
30 procedure is consistent with guidelines of the Centers for
31 Disease Control and Prevention and recommendations of the
32 Correctional Medical Authority. It is not unlawful for the
33 person receiving the test results to divulge the test results to
34 the sheriff or chief correctional officer.

35 (2)(a) Each county or municipality has the local option,
36 if authorized by a majority of the respective county's or
37 municipality's governing body, to participate in the testing
38 program provided in this subsection. The county or municipal
39 detention facility that lies within the authority of any
40 participating county or municipality shall, consistent with s.
41 381.004(3), perform an HIV test as defined in s. 381.004(2) on
42 each inmate who is to be released from the facility unless the
43 facility knows that the inmate is HIV positive or unless, within
44 120 days before the release date, the inmate has been tested for
45 HIV and does not request retesting. The required test must be
46 performed not less than 30 days before the release date of the
47 inmate. A test is not required under this paragraph if an inmate
48 is released due to an emergency or a court order and the
49 detention facility receives less than 30 days' notice of the
50 release date or if the inmate is transferred to the custody of
51 the Department of Corrections for incarceration in the state
52 correctional system.

53 (b) If the county or municipal detention facility knows
54 that an inmate who is to be released from the facility is HIV
55 positive or has received a positive HIV test result, that
56 facility shall, before the inmate is released:

57 1. Notify, consistent with s. 381.004(3), the Department
 58 of Health and the county health department in the county where
 59 the inmate being released plans to reside of the release date
 60 and HIV status of the inmate.

61 2. Provide special transitional assistance to the inmate,
 62 which must include:

63 a. Education on preventing the transmission of HIV to
 64 others and on the importance of receiving followup medical care
 65 and treatment.

66 b. A written, individualized discharge plan that includes
 67 records of all laboratory and diagnostic test results,
 68 medication and treatment information, and referrals to and
 69 contacts with the county health department and local primary
 70 medical care services for the treatment of HIV infection which
 71 are available in the area where the inmate plans to reside.

72 (3)-(2) Except as otherwise provided in this subsection,
 73 serologic blood test results obtained pursuant to subsection (1)
 74 or subsection (2) are confidential and exempt from the
 75 provisions of s. 119.07(1) and s. 24(a), Art. I of the State
 76 Constitution. However, such results may be provided to employees
 77 or officers of the sheriff or chief correctional officer who are
 78 responsible for the custody and care of the affected inmate and
 79 have a need to know such information, and as provided in ss.
 80 381.004(3), 775.0877, and 960.003. In addition, upon request of
 81 the victim or the victim's legal guardian, or the parent or
 82 legal guardian of the victim if the victim is a minor, the
 83 results of any HIV test performed on an inmate who has been
 84 arrested for any sexual offense involving oral, anal, or vaginal

85 penetration by, or union with, the sexual organ of another,
 86 shall be disclosed to the victim or the victim's legal guardian,
 87 or to the parent or legal guardian of the victim if the victim
 88 is a minor. In such cases, the county or municipal detention
 89 facility shall furnish the test results to the Department of
 90 Health, which is responsible for disclosing the results to
 91 public health agencies as provided in s. 775.0877 and to the
 92 victim or the victim's legal guardian, or the parent or legal
 93 guardian of the victim if the victim is a minor, as provided in
 94 s. 960.003(3).

95 (4)~~(3)~~ The results of any serologic blood test on an
 96 inmate are a part of that inmate's permanent medical file. Upon
 97 transfer of the inmate to any other correctional facility, such
 98 file is also transferred, and all relevant authorized persons
 99 must be notified of positive HIV test results, as required in s.
 100 775.0877.

101 (5) Notwithstanding any statute providing for a waiver of
 102 sovereign immunity, the state, its agencies, or subdivisions,
 103 and employees of the state, its agencies, or subdivisions, are
 104 not liable to any person for negligently causing death or
 105 personal injury arising out of complying with this section.

106 Section 2. Subsection (3) of section 381.004, Florida
 107 Statutes, is amended to read:

108 381.004 HIV testing.--

109 (3) ~~HUMAN IMMUNODEFICIENCY VIRUS TESTING;~~ INFORMED
 110 CONSENT; RESULTS; COUNSELING; CONFIDENTIALITY.--

111 (a) No person in this state shall order a test designed to
 112 identify the human immunodeficiency virus, or its antigen or

113 antibody, without first obtaining the informed consent of the
114 person upon whom the test is being performed, except as
115 specified in paragraph (h). Informed consent shall be preceded
116 by an explanation of the right to confidential treatment of
117 information identifying the subject of the test and the results
118 of the test to the extent provided by law. Information shall
119 also be provided on the fact that a positive HIV test result
120 will be reported to the county health department with sufficient
121 information to identify the test subject and on the availability
122 and location of sites at which anonymous testing is performed.
123 As required in paragraph (4)(c), each county health department
124 shall maintain a list of sites at which anonymous testing is
125 performed, including the locations, phone numbers, and hours of
126 operation of the sites. Consent need not be in writing provided
127 there is documentation in the medical record that the test has
128 been explained and the consent has been obtained.

129 (b) Except as provided in paragraph (h), informed consent
130 must be obtained from a legal guardian or other person
131 authorized by law when the person:

- 132 1. Is not competent, is incapacitated, or is otherwise
133 unable to make an informed judgment; or
- 134 2. Has not reached the age of majority, except as provided
135 in s. 384.30.

136 (c) The person ordering the test or that person's designee
137 shall ensure that all reasonable efforts are made to notify the
138 test subject of his or her test result. Notification of a person
139 with a positive test result shall include information on the
140 availability of appropriate medical and support services, on the

141 importance of notifying partners who may have been exposed, and
142 on preventing transmission of HIV. Notification of a person with
143 a negative test result shall include, as appropriate,
144 information on preventing the transmission of HIV. When testing
145 occurs in a hospital emergency department, detention facility,
146 or other facility and the test subject has been released before
147 being notified of positive test results, informing the county
148 health department for that department to notify the test subject
149 fulfills this responsibility.

150 (d) A positive preliminary test result may not be revealed
151 to any person except in the following situations:

152 1. Preliminary test results may be released to licensed
153 physicians or the medical or nonmedical personnel subject to the
154 significant exposure for purposes of subparagraphs (h)10., 11.,
155 and 12.

156 2. Preliminary test results may be released to health care
157 providers and to the person tested when decisions about medical
158 care or treatment of, or recommendation to, the person tested
159 and, in the case of an intrapartum or postpartum woman, when
160 care, treatment, or recommendations regarding her newborn,
161 cannot await the results of confirmatory testing. Positive
162 preliminary HIV test results may not be characterized to the
163 patient as a diagnosis of HIV infection. Justification for the
164 use of preliminary test results must be documented in the
165 medical record by the health care provider who ordered the test.

166 3. The results of rapid testing technologies shall be
167 considered preliminary and may be released in accordance with
168 the manufacturer's instructions as approved by the federal Food

169 and Drug Administration.

170 4. Corroborating or confirmatory testing must be conducted
171 as followup to a positive preliminary test. Results shall be
172 communicated to the patient according to statute regardless of
173 the outcome. Except as provided in this section, test results
174 are confidential and exempt from the provisions of s. 119.07(1).

175 (e) Except as provided in this section, the identity of
176 any person upon whom a test has been performed and test results
177 are confidential and exempt from the provisions of s. 119.07(1).
178 No person who has obtained or has knowledge of a test result
179 pursuant to this section may disclose or be compelled to
180 disclose the identity of any person upon whom a test is
181 performed, or the results of such a test in a manner which
182 permits identification of the subject of the test, except to the
183 following persons:

184 1. The subject of the test or the subject's legally
185 authorized representative.

186 2. Any person, including third-party payors, designated in
187 a legally effective release of the test results executed prior
188 to or after the test by the subject of the test or the subject's
189 legally authorized representative. The test subject may in
190 writing authorize the disclosure of the test subject's HIV test
191 results to third party payors, who need not be specifically
192 identified, and to other persons to whom the test subject
193 subsequently issues a general release of medical information. A
194 general release without such prior written authorization is not
195 sufficient to release HIV test results.

196 3. An authorized agent or employee of a health facility or

197 health care provider if the health facility or health care
198 provider itself is authorized to obtain the test results, the
199 agent or employee participates in the administration or
200 provision of patient care or handles or processes specimens of
201 body fluids or tissues, and the agent or employee has a need to
202 know such information. The department shall adopt a rule
203 defining which persons have a need to know pursuant to this
204 subparagraph.

205 4. Health care providers consulting between themselves or
206 with health care facilities to determine diagnosis and
207 treatment. For purposes of this subparagraph, health care
208 providers shall include licensed health care professionals
209 employed by or associated with state, county, or municipal
210 detention facilities when such health care professionals are
211 acting exclusively for the purpose of providing diagnoses or
212 treatment of persons in the custody of such facilities.

213 5. The department, in accordance with rules for reporting
214 and controlling the spread of disease, as otherwise provided by
215 state law.

216 6. A health facility or health care provider which
217 procures, processes, distributes, or uses:

218 a. A human body part from a deceased person, with respect
219 to medical information regarding that person; or

220 b. Semen provided prior to July 6, 1988, for the purpose
221 of artificial insemination.

222 7. Health facility staff committees, for the purposes of
223 conducting program monitoring, program evaluation, or service
224 reviews pursuant to chapters 395 and 766.

225 8. Authorized medical or epidemiological researchers who
226 may not further disclose any identifying characteristics or
227 information.

228 9. A person allowed access by a court order which is
229 issued in compliance with the following provisions:

230 a. No court of this state shall issue such order unless
231 the court finds that the person seeking the test results has
232 demonstrated a compelling need for the test results which cannot
233 be accommodated by other means. In assessing compelling need,
234 the court shall weigh the need for disclosure against the
235 privacy interest of the test subject and the public interest
236 which may be disserved by disclosure which deters blood, organ,
237 and semen donation and future human immunodeficiency virus-
238 related testing or which may lead to discrimination. This
239 paragraph shall not apply to blood bank donor records.

240 b. Pleadings pertaining to disclosure of test results
241 shall substitute a pseudonym for the true name of the subject of
242 the test. The disclosure to the parties of the subject's true
243 name shall be communicated confidentially in documents not filed
244 with the court.

245 c. Before granting any such order, the court shall provide
246 the individual whose test result is in question with notice and
247 a reasonable opportunity to participate in the proceedings if he
248 or she is not already a party.

249 d. Court proceedings as to disclosure of test results
250 shall be conducted in camera, unless the subject of the test
251 agrees to a hearing in open court or unless the court determines
252 that a public hearing is necessary to the public interest and

253 the proper administration of justice.

254 e. Upon the issuance of an order to disclose test results,
255 the court shall impose appropriate safeguards against
256 unauthorized disclosure which shall specify the persons who may
257 have access to the information, the purposes for which the
258 information shall be used, and appropriate prohibitions on
259 future disclosure.

260 10. A person allowed access by order of a judge of
261 compensation claims of the Division of Administrative Hearings.
262 A judge of compensation claims shall not issue such order unless
263 he or she finds that the person seeking the test results has
264 demonstrated a compelling need for the test results which cannot
265 be accommodated by other means.

266 11. Those employees of the department or of child-placing
267 or child-caring agencies or of family foster homes, licensed
268 pursuant to s. 409.175, who are directly involved in the
269 placement, care, control, or custody of such test subject and
270 who have a need to know such information; adoptive parents of
271 such test subject; or any adult custodian, any adult relative,
272 or any person responsible for the child's welfare, if the test
273 subject was not tested under subparagraph (b)2. and if a
274 reasonable attempt has been made to locate and inform the legal
275 guardian of a test result. The department shall adopt a rule to
276 implement this subparagraph.

277 12. Those employees of residential facilities or of
278 community-based care programs that care for developmentally
279 disabled persons, pursuant to chapter 393, who are directly
280 involved in the care, control, or custody of such test subject

281 and who have a need to know such information.

282 13. A health care provider involved in the delivery of a
283 child can note the mother's HIV test results in the child's
284 medical record.

285 14. Medical personnel or nonmedical personnel who have
286 been subject to a significant exposure during the course of
287 medical practice or in the performance of professional duties,
288 or individuals who are the subject of the significant exposure
289 as provided in subparagraphs (h)10.-12.

290 15. The medical examiner shall disclose positive HIV test
291 results to the department in accordance with rules for reporting
292 and controlling the spread of disease.

293 (f) Except as provided in this section, the identity of a
294 person upon whom a test has been performed is confidential and
295 exempt from the provisions of s. 119.07(1). No person to whom
296 the results of a test have been disclosed may disclose the test
297 results to another person except as authorized by this
298 subsection and by ss. 951.27 and 960.003. Whenever disclosure is
299 made pursuant to this subsection, it shall be accompanied by a
300 statement in writing which includes the following or
301 substantially similar language: "This information has been
302 disclosed to you from records whose confidentiality is protected
303 by state law. State law prohibits you from making any further
304 disclosure of such information without the specific written
305 consent of the person to whom such information pertains, or as
306 otherwise permitted by state law. A general authorization for
307 the release of medical or other information is NOT sufficient
308 for this purpose." An oral disclosure shall be accompanied by

309 oral notice and followed by a written notice within 10 days,
 310 except that this notice shall not be required for disclosures
 311 made pursuant to subparagraphs (e)3. and 4.

312 (g) Human immunodeficiency virus test results contained in
 313 the medical records of a hospital licensed under chapter 395 may
 314 be released in accordance with s. 395.3025 without being subject
 315 to the requirements of subparagraph (e)2., subparagraph (e)9.,
 316 or paragraph (f); provided the hospital has obtained written
 317 informed consent for the HIV test in accordance with provisions
 318 of this section.

319 (h) Notwithstanding the provisions of paragraph (a),
 320 informed consent is not required:

321 1. When testing for sexually transmissible diseases is
 322 required by state or federal law, or by rule including the
 323 following situations:

324 a. HIV testing pursuant to s. 796.08 of persons convicted
 325 of prostitution or of procuring another to commit prostitution.

326 b. HIV testing of inmates pursuant to s. 945.355 prior to
 327 their release from prison by reason of parole, accumulation of
 328 gain-time credits, or expiration of sentence.

329 c. Testing for HIV by a medical examiner in accordance
 330 with s. 406.11.

331 d. HIV testing of pregnant women pursuant to s. 384.31.

332 e. HIV testing of inmates pursuant to s. 951.27 before
 333 their release from a county or municipal detention facility.

334 2. Those exceptions provided for blood, plasma, organs,
 335 skin, semen, or other human tissue pursuant to s. 381.0041.

336 3. For the performance of an HIV-related test by licensed

337 medical personnel in bona fide medical emergencies when the test
338 results are necessary for medical diagnostic purposes to provide
339 appropriate emergency care or treatment to the person being
340 tested and the patient is unable to consent, as supported by
341 documentation in the medical record. Notification of test
342 results in accordance with paragraph (c) is required.

343 4. For the performance of an HIV-related test by licensed
344 medical personnel for medical diagnosis of acute illness where,
345 in the opinion of the attending physician, obtaining informed
346 consent would be detrimental to the patient, as supported by
347 documentation in the medical record, and the test results are
348 necessary for medical diagnostic purposes to provide appropriate
349 care or treatment to the person being tested. Notification of
350 test results in accordance with paragraph (c) is required if it
351 would not be detrimental to the patient. This subparagraph does
352 not authorize the routine testing of patients for HIV infection
353 without informed consent.

354 5. When HIV testing is performed as part of an autopsy for
355 which consent was obtained pursuant to s. 872.04.

356 6. For the performance of an HIV test upon a defendant
357 pursuant to the victim's request in a prosecution for any type
358 of sexual battery where a blood sample is taken from the
359 defendant voluntarily, pursuant to court order for any purpose,
360 or pursuant to the provisions of s. 775.0877, s. 951.27, or s.
361 960.003; however, the results of any HIV test performed shall be
362 disclosed solely to the victim and the defendant, except as
363 provided in ss. 775.0877, 951.27, and 960.003.

364 7. When an HIV test is mandated by court order.

365 8. For epidemiological research pursuant to s. 381.0032,
 366 for research consistent with institutional review boards created
 367 by 45 C.F.R. part 46, or for the performance of an HIV-related
 368 test for the purpose of research, if the testing is performed in
 369 a manner by which the identity of the test subject is not known
 370 and may not be retrieved by the researcher.

371 9. When human tissue is collected lawfully without the
 372 consent of the donor for corneal removal as authorized by s.
 373 765.5185 or enucleation of the eyes as authorized by s. 765.519.

374 10. For the performance of an HIV test upon an individual
 375 who comes into contact with medical personnel in such a way that
 376 a significant exposure has occurred during the course of
 377 employment or within the scope of practice and where a blood
 378 sample is available that was taken from that individual
 379 voluntarily by medical personnel for other purposes. The term
 380 "medical personnel" includes a licensed or certified health care
 381 professional; an employee of a health care professional or
 382 health care facility; employees of a laboratory licensed under
 383 chapter 483; personnel of a blood bank or plasma center; a
 384 medical student or other student who is receiving training as a
 385 health care professional at a health care facility; and a
 386 paramedic or emergency medical technician certified by the
 387 department to perform life-support procedures under s. 401.23.

388 a. Prior to performance of an HIV test on a voluntarily
 389 obtained blood sample, the individual from whom the blood was
 390 obtained shall be requested to consent to the performance of the
 391 test and to the release of the results. The individual's refusal
 392 to consent and all information concerning the performance of an

393 HIV test and any HIV test result shall be documented only in the
394 medical personnel's record unless the individual gives written
395 consent to entering this information on the individual's medical
396 record.

397 b. Reasonable attempts to locate the individual and to
398 obtain consent shall be made, and all attempts must be
399 documented. If the individual cannot be found, an HIV test may
400 be conducted on the available blood sample. If the individual
401 does not voluntarily consent to the performance of an HIV test,
402 the individual shall be informed that an HIV test will be
403 performed, and counseling shall be furnished as provided in this
404 section. However, HIV testing shall be conducted only after a
405 licensed physician documents, in the medical record of the
406 medical personnel, that there has been a significant exposure
407 and that, in the physician's medical judgment, the information
408 is medically necessary to determine the course of treatment for
409 the medical personnel.

410 c. Costs of any HIV test of a blood sample performed with
411 or without the consent of the individual, as provided in this
412 subparagraph, shall be borne by the medical personnel or the
413 employer of the medical personnel. However, costs of testing or
414 treatment not directly related to the initial HIV tests or costs
415 of subsequent testing or treatment may not be borne by the
416 medical personnel or the employer of the medical personnel.

417 d. In order to utilize the provisions of this
418 subparagraph, the medical personnel must either be tested for
419 HIV pursuant to this section or provide the results of an HIV
420 test taken within 6 months prior to the significant exposure if

421 such test results are negative.

422 e. A person who receives the results of an HIV test
423 pursuant to this subparagraph shall maintain the confidentiality
424 of the information received and of the persons tested. Such
425 confidential information is exempt from s. 119.07(1).

426 f. If the source of the exposure will not voluntarily
427 submit to HIV testing and a blood sample is not available, the
428 medical personnel or the employer of such person acting on
429 behalf of the employee may seek a court order directing the
430 source of the exposure to submit to HIV testing. A sworn
431 statement by a physician licensed under chapter 458 or chapter
432 459 that a significant exposure has occurred and that, in the
433 physician's medical judgment, testing is medically necessary to
434 determine the course of treatment constitutes probable cause for
435 the issuance of an order by the court. The results of the test
436 shall be released to the source of the exposure and to the
437 person who experienced the exposure.

438 11. For the performance of an HIV test upon an individual
439 who comes into contact with medical personnel in such a way that
440 a significant exposure has occurred during the course of
441 employment or within the scope of practice of the medical
442 personnel while the medical personnel provides emergency medical
443 treatment to the individual; or who comes into contact with
444 nonmedical personnel in such a way that a significant exposure
445 has occurred while the nonmedical personnel provides emergency
446 medical assistance during a medical emergency. For the purposes
447 of this subparagraph, a medical emergency means an emergency
448 medical condition outside of a hospital or health care facility

449 that provides physician care. The test may be performed only
450 during the course of treatment for the medical emergency.

451 a. An individual who is capable of providing consent shall
452 be requested to consent to an HIV test prior to the testing. The
453 individual's refusal to consent, and all information concerning
454 the performance of an HIV test and its result, shall be
455 documented only in the medical personnel's record unless the
456 individual gives written consent to entering this information on
457 the individual's medical record.

458 b. HIV testing shall be conducted only after a licensed
459 physician documents, in the medical record of the medical
460 personnel or nonmedical personnel, that there has been a
461 significant exposure and that, in the physician's medical
462 judgment, the information is medically necessary to determine
463 the course of treatment for the medical personnel or nonmedical
464 personnel.

465 c. Costs of any HIV test performed with or without the
466 consent of the individual, as provided in this subparagraph,
467 shall be borne by the medical personnel or the employer of the
468 medical personnel or nonmedical personnel. However, costs of
469 testing or treatment not directly related to the initial HIV
470 tests or costs of subsequent testing or treatment may not be
471 borne by the medical personnel or the employer of the medical
472 personnel or nonmedical personnel.

473 d. In order to utilize the provisions of this
474 subparagraph, the medical personnel or nonmedical personnel
475 shall be tested for HIV pursuant to this section or shall
476 provide the results of an HIV test taken within 6 months prior

477 to the significant exposure if such test results are negative.

478 e. A person who receives the results of an HIV test
479 pursuant to this subparagraph shall maintain the confidentiality
480 of the information received and of the persons tested. Such
481 confidential information is exempt from s. 119.07(1).

482 f. If the source of the exposure will not voluntarily
483 submit to HIV testing and a blood sample was not obtained during
484 treatment for the medical emergency, the medical personnel, the
485 employer of the medical personnel acting on behalf of the
486 employee, or the nonmedical personnel may seek a court order
487 directing the source of the exposure to submit to HIV testing. A
488 sworn statement by a physician licensed under chapter 458 or
489 chapter 459 that a significant exposure has occurred and that,
490 in the physician's medical judgment, testing is medically
491 necessary to determine the course of treatment constitutes
492 probable cause for the issuance of an order by the court. The
493 results of the test shall be released to the source of the
494 exposure and to the person who experienced the exposure.

495 12. For the performance of an HIV test by the medical
496 examiner or attending physician upon an individual who expired
497 or could not be resuscitated while receiving emergency medical
498 assistance or care and who was the source of a significant
499 exposure to medical or nonmedical personnel providing such
500 assistance or care.

501 a. HIV testing may be conducted only after a licensed
502 physician documents in the medical record of the medical
503 personnel or nonmedical personnel that there has been a
504 significant exposure and that, in the physician's medical

505 judgment, the information is medically necessary to determine
 506 the course of treatment for the medical personnel or nonmedical
 507 personnel.

508 b. Costs of any HIV test performed under this subparagraph
 509 may not be charged to the deceased or to the family of the
 510 deceased person.

511 c. For the provisions of this subparagraph to be
 512 applicable, the medical personnel or nonmedical personnel must
 513 be tested for HIV under this section or must provide the results
 514 of an HIV test taken within 6 months before the significant
 515 exposure if such test results are negative.

516 d. A person who receives the results of an HIV test
 517 pursuant to this subparagraph shall comply with paragraph (e).

518 13. For the performance of an HIV-related test medically
 519 indicated by licensed medical personnel for medical diagnosis of
 520 a hospitalized infant as necessary to provide appropriate care
 521 and treatment of the infant when, after a reasonable attempt, a
 522 parent cannot be contacted to provide consent. The medical
 523 records of the infant shall reflect the reason consent of the
 524 parent was not initially obtained. Test results shall be
 525 provided to the parent when the parent is located.

526 14. For the performance of HIV testing conducted to
 527 monitor the clinical progress of a patient previously diagnosed
 528 to be HIV positive.

529 15. For the performance of repeated HIV testing conducted
 530 to monitor possible conversion from a significant exposure.

531 Section 3. This act shall take effect July 1, 2006.