



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 271 [2003 Senate Bill 230]	Requests for HIV Tests by Certain Educational Employees
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

Under current law, specified persons who meet certain requirements and who sustain a contact that carries a potential for transmission of human immunodeficiency virus (HIV) are authorized to subject the blood of the individual to whom they were exposed to a test for the presence of HIV, and to receive disclosure of the test results. These persons include, under specified circumstances, the following categories of professionals:

- Emergency medical technicians.
- First responders.
- Firefighters.
- Peace officers.
- Correctional officers.
- Persons employed at a secured correctional facility, secured child caring institution, or secured group home.
- State patrol officers.
- Jailers or keepers of jails.
- Health care providers.
- Employees of health care providers.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.

- Staff members of state crime laboratories.

The requirements those persons must meet in order to subject a person's blood to testing include:

- The use of universal precautions against significant exposure at the time of the significant exposure.
- Certification in writing by a physician that the affected person was significantly exposed.
- Submittal to a test for the presence of HIV within a specified time period.

If previously drawn blood from the individual to whom the person was exposed is unavailable, the person may request a court order requiring the individual to submit to a test; after a hearing, a court may order the testing to proceed.

This Act permits employees of a school district, cooperative educational service agency, charter school, private school, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Wisconsin Center for the Blind and Visually Impaired, or social workers who, while performing employment duties involving an individual, sustain a contact that carries the potential for transmission of HIV, to subject the blood of the individual to whom they are exposed to a test for the presence of HIV.

Effective Date: May 1, 2004.

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