

SECTIONAL ANALYSIS

HB 210

“An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers.”

Section 1 – Amends AS 18.15.400 by adding the term **adult or juvenile offenders**. By replacing *correctional* with **public safety** officers and replacing *department* with **employing agency**. This section authorizes bloodborne pathogen testing of prisoners when requested by **public safety** officer who has received significant exposure from a prisoner.

Section 2 – Amends AS 18.15.410 by adding the term **adult or juvenile offenders**. By replacing *correctional* with **public safety** officers and replacing *department* with **employing agency**. This section specifies the requirement of consent for testing; from the prisoner or the prisoner’s representative.

Section 3 – Amends AS 18.15.420 by adding the term **adult or juvenile offenders**. By replacing *correctional* with **public safety** officers and replacing *department* with **employing agency**. This section provides provisions for testing without consent. There must be probable cause that a significant exposure has occurred, a licensed physician has to determine that test results are necessary, or a compelling need for testing exists. The court shall consider the need for the test against privacy or other interests of the prisoner.

Section 4 – Amends AS 18.15.440 by adding the term **adult or juvenile offenders**. By replacing *correctional* with **public safety** officers and replacing *department* with **employing agency**. This section states that confidentiality provisions apply and results can be disclosed only as needed for treatment.

Section 5 – Amends AS 18.15 by adding a new section **AS 18.15.445 Assistance by departments and municipalities**. Specifically stating that the department, the department of public safety, the department of corrections, and each municipality shall assist public safety officers and employing agencies in complying with the requirements of AS 18.15.400-18.15.450.

Section 6 – Amends AS 18.15.450 by adding new paragraphs. (Definitions)