

FIRST REGULAR SESSION

# HOUSE BILL NO. 1019

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COOPER, KELLY (144), HUNTER, MILLER, KELLY (36),  
SCOTT (Co-sponsors), DEMPSEY, JETTON, DOLAN, BEARDEN, MAYER, SECREST,  
BLACK AND HOLAND.

Read 1<sup>st</sup> time March 15, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

125 IL.021

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### AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to infectious disease testing.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be  
2 known as section 191.660, to read as follows:

**191.660. 1. If a corrections officer, emergency services employee, health care  
2 provider or employee of a health care provider, law enforcement employee or juvenile  
3 correctional facility employee comes in contact with or otherwise is exposed to transmission  
4 of body fluids from one or more other persons while performing duties within the scope  
5 of such employee's duties as an employee, the employee or head of the employing agency  
6 or entity may petition a court of competent jurisdiction for an emergency order requiring  
7 such other person or persons to submit to infectious disease testing within twenty-four  
8 hours of the exposure.**

**9 2. The petition in subsection 1 of this section shall include an allegation that the  
10 person or persons sought to be tested have been requested to submit voluntarily to  
11 infectious disease tests and have refused such tests. When any such application is received,  
12 the court shall hold a hearing and shall issue its order thereon immediately to ensure that  
13 such testing can occur within twenty-four hours of the exposure if the court finds that:**

**14 (1) There is probable cause to believe that the employee involved has come in  
15 contact with or otherwise has been exposed to transmission of the body fluids of the person  
16 or persons sought to be tested; and**

**17 (2) The person or persons sought to be tested have been requested to submit to the**

18 tests and have refused, unless the court makes a further finding that exigent circumstances  
19 exist which, in the court's judgment, would excuse the applicant from making such a  
20 request.

21       **3. If an infectious disease test ordered pursuant to this section results in a negative**  
22 **reaction, the court shall order the person tested to submit to another infectious disease test**  
23 **six months from the date the first test was administered.**

24       **4. The results of any infectious disease test ordered pursuant to this section shall**  
25 **be disclosed to the court which ordered the test, the employee and the person tested. If an**  
26 **infectious disease test ordered pursuant to this section results in a positive reaction, the**  
27 **results shall be reported to the employee.**