

## **POSSIBLE EXPOSURE TO VIRAL INFECTIONS**

Upon notification by any school division employee who believes they have been involved in an incident which may have exposed them to the blood or body fluids of a student, the Superintendent or designee contacts the Alexandria Health Department (AHD). Upon immediate investigation of the incident, the AHD Director determines if a potentially harmful exposure has occurred and makes recommendations regarding how the employee can reduce any risks from such exposure. The Superintendent or designee shares AHD's recommendations with the employee. The recommendations are based upon all information available to the AHD Director. General information that must be shared with additional staff members to implement AHD's recommendations is conveyed according to the AHD-ACPS communication protocol.

The Superintendent, designee and the employee involved do not divulge any information provided by AHD regarding the student involved except as described below. The information provided by AHD is subject to any applicable confidentiality requirements set forth in Va. Code § 32.1-35.

Whenever an ACPS employee is directly exposed to body fluids of any person in a manner which may, according to the current guidelines of the Centers for Disease Control and Prevention (CDC), transmit human immunodeficiency virus (HIV) or the hepatitis B or C viruses, the person whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with HIV or the hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the ACPS employee who was exposed.

If the person whose blood specimen is sought for testing is a minor, consent for such testing shall be obtained from the parent, guardian, or person standing in *loco parentis* of such minor prior to initiating such testing. If the parent or guardian or person standing in *loco parentis* withholds such consent, or is not reasonably available, the person potentially exposed to HIV or the hepatitis B or C viruses, or the employer of such person, may petition the juvenile and domestic relations district court in the county or city where the minor resides or resided, or, in the case of a nonresident, the City of Alexandria, for an order requiring the minor to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy.

Whenever any person is directly exposed to the body fluids of an ACPS employee in a manner that may, according to the then current guidelines of the CDC, transmit HIV or the hepatitis B or C viruses, the ACPS employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with HIV or the hepatitis B or C viruses. The ACPS employee shall be deemed to have consented to the release of such test results to the person.

Except if the person to be tested is a minor, if the person whose blood specimen is needed for testing refuses to provide such specimen, any person identified by this policy who was potentially exposed to HIV or the hepatitis B or C viruses in the manner described by this policy, or the employer of such person, may petition, on a form to be provided by the Office of the Executive Secretary of the Supreme Court of Virginia, the general district court of the county or city in which the person whose specimen is sought resides or resided, or, in the case of a nonresident, the City of Alexandria, for an order requiring the person to provide a blood

specimen or to submit to testing and to disclose the test results in accordance with this policy. A copy of the petition, which shall specify the date and location of the hearing, shall be provided to the person whose specimen is sought.

At any hearing before the court, the person whose specimen is sought or the person's counsel may appear. The court may be advised by the State Health Commissioner or the Commissioner's designee prior to entering any testing order. If the general district court determines that there is probable cause to believe that a person identified by this policy has been exposed in the manner prescribed by this policy, the court shall issue an order requiring the person whose bodily fluids were involved in the exposure to provide a blood specimen or to submit to testing and to disclose the test results in accordance with this policy. If a testing order is issued, both the petitioner and the person from whom the blood specimen is sought shall receive counseling and an opportunity for face-to-face disclosure of any test results by a licensed practitioner or trained counselor.

Adopted: July 6, 2000  
Amended: July 2, 2003  
Amended: April 16, 2009  
Amended: April 21, 2016  
Amended: April 22, 2021

Legal Refs: Code of Virginia, 1950 as amended, §§22.1-271.3, 32.1-45.1.

Cross Refs:	EBBB/GBED	Personnel Training - Viral Infections
	GBE	Staff Health
	JHCC	Communicable Diseases
	JHCCA	Bloodborne Contagious or Infectious Diseases