

POSSIBLE EXPOSURE TO VIRAL INFECTIONS

Upon notification by a school division employee who believes he/she has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the Superintendent shall contact the local designated health provider who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations based upon all information available to him/her, regarding how the employee can reduce any risks from such exposure. The Superintendent shall share these recommendations with the school division employee.

The Superintendent and the school division employee shall not divulge any information provided by the local health director regarding the student involved except as described below. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in section 32.1-35 of the Code of Virginia.

Whenever any school division 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, transmit human immunodeficiency virus or 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 human immunodeficiency virus or hepatitis B or C viruses. Such person shall also be deemed to have consented to the release of such test results to the school division employee who was exposed. If the person whose blood specimen is sought for testing is a minor, the parent, guardian or person standing in *loco parentis* of such minor shall be notified prior to initiating such testing. In other than emergency situations, it shall be the responsibility of the school division employee to inform the person of this provision prior to the contact that creates a risk of such exposure.

If the person whose blood specimen is sought for testing is a minor, and that minor refuses to provide such specimen, 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 the human immunodeficiency virus or 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 county or city where the School division has its principal office, 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 a school division employee in a manner that may, according to the then current guidelines of the Centers for Disease Control, transmit human immunodeficiency virus or hepatitis B or C viruses, the school division employee whose body fluids were involved in the exposure shall be deemed to have consented to testing for infection with human immunodeficiency virus or hepatitis B or C viruses. The school division 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 sought for testing refuses to provide such specimen, any person potentially exposed to the human

immunodeficiency virus or hepatitis B or C viruses, or the employer of such person, may petition 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 county or city where the school division has its principal office, 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 section. At any hearing before the court, the person whose specimen is sought or his counsel may appear. The court shall be advised by the State Health Commissioner or his/her designee prior to entering any testing order. 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

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

Cross Refs:	EBBB	Personnel Training - Viral Infections
	GBE	Staff Health
	JHCC	Communicable Diseases
	JHCCA	Blood Borne Contagious or Infectious Diseases