

**SENATE . . . . . No. 1216**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Thomas M. McGee***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for HIV testing for at risk police officers..

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PETITION OF:

NAME:

*Thomas M. McGee*

DISTRICT/ADDRESS:

*Third Essex*

**SENATE . . . . . No. 1216**

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By Mr. McGee, a petition (accompanied by bill, Senate, No. 1216) of Thomas M. McGee for legislation to provide for HIV testing for at risk police officers. Public Safety and Homeland Security.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 954 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act providing for HIV testing for at risk police officers..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding any general or special law to the contrary, every person  
2 who receives an appointment to a position on a permanent full-time basis or on a reserve or  
3 intermittent basis in which said person will exercise police powers in a municipal police  
4 department, the Massachusetts bay transportation authority police, the department of correction,  
5 the state police, or the division of law enforcement within the department of fisheries, wildlife  
6 and environmental law enforcement shall, upon exposure to any known risk factor associated  
7 with HIV or AIDS as those terms are defined in Massachusetts General Laws Chapter 111,  
8 Section 2D, while exercising police powers, whether in the line of duty or as a good Samaritan,  
9 be eligible for testing to determine whether such person has contracted an HIV infection or its  
10 associated illnesses. Such testing shall be at the option of the exposed person and any portion of  
11 cost for three such tests undergone within eighteen months immediately following the date of

12 exposure that is not covered under an insurance policy issued for the benefit of the exposed  
13 person shall be paid for by the Commonwealth. The exposed person shall also be eligible for  
14 psychiatric counseling in relation to such exposure. Such counseling shall be at the option of the  
15 exposed person and any portion of the cost for such counseling that is approved by the  
16 department of public health and the department of public safety that is not covered under an  
17 insured policy issued for the benefit of the exposed person shall be paid for by the  
18 Commonwealth.