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HOUSE . . . . . No. 1412

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to HIV and AIDS testing..

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

SECTION 1. Section 13D of Chapter 265, as appearing in the 2006 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:—

Notwithstanding any other provisions of law, where a public employee is a police officer, firefighter or other public safety employee engaged in the performance of his duties and the assault and battery results in an exchange of blood, saliva or other bodily fluids, the defendant shall submit to a test for the presence of human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS).

SECTION 2. Section 13I of Chapter 265, as appearing in the 2006 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:—

Notwithstanding any other provisions of law, where the assault and battery results in an exchange of blood, saliva or other bodily fluids, the defendant shall submit to a test for the presence of human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS).

SECTION 3. Section 70F of Chapter 111, as appearing in the 2006 Official Edition, is hereby amended by inserting after the fourth paragraph the following paragraph:—

Notwithstanding any of the above, whenever a doctor, nurse, hospital employee or other health care worker is engaged in attending to a patient and is inadvertently injected by a hypodermic needle used on said patient, a test for the presence of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) shall be administered to said patient.