

4-09/000.00 Inmate Requests for HIV Testing of Other Inmates

Deputy personnel shall notify any inmate who alleges that he has come into contact with the bodily fluids of another inmate of his right to request HIV testing of the other inmate pursuant to the Penal Code, section 7512(a), "Request for Testing by an Inmate," and the Department Manual of Policy and Procedures, section 5-03/175.25, "Reporting of Inmate's Exposure to AIDS and Other Communicable Diseases." Any inmate who requests HIV testing of another inmate shall be advised to complete the State Department of Health Services "Report of Request and Decision for HIV Testing" form (DHS 8459). All inmate requests shall be processed in a timely manner. A copy of the inmate's request shall be sent to the Chief Physician, Correctional Health Services (CHS).

Deputy personnel shall notify any inmate who is the victim of any criminal complaint filed with a magistrate or court, alleging any violation of Penal Code sections 261, 261.5, 262, 266(b), 266(c), 286, 288, or 288(a) of his right to make written application to the District Attorney or petition the court for an order requiring the defendant to provide two specimens of blood per the Health and Safety Code, section 199.96.
