3-02/040.30 - Employee Exposure to the Bodily Fluids of Persons in Custody, Field Operations Regions, and Court Services

An employee who believes that he has had contact with the bodily fluids of a person in custody shall report this to the unit commander using the "Report of Request and Decision for HIV Testing (DHS 8459)." The report shall be submitted by the end of the employee's shift but not later than two days after the incident. The unit commander shall cause the report to be sent by U.S. mail or hand carried to reach the Department of Health Services and the Disability Management and Compliance Unit within 48 hours.

The report shall include the following:

- Names of persons involved in the incident;
- Names of witnesses to the incident;
- All written statements from these parties;
- Narrative of the incident; and
- Any request by the employee that the County Health Officer order HIV testing of the inmate.

In circumstances where a person is charged with a crime and who has bitten, scratched, spat upon, or transferred blood or other bodily fluids on, upon, or through the skin or membranes of a peace officer, the peace officer may request that the court order the inmate to provide two specimens of blood for testing for AIDS, any AIDS related condition, or other communicable diseases.

In all cases where practical, the County Counsel and the employee requesting blood tests of an inmate shall attend the court hearing upon the petition.

It shall be the responsibility of the assigned investigator to include whenever possible the petition for blood testing with the case filing documents when presented to the prosecuting attorney.

If a person in custody refuses to consent to voluntary blood testing or if the person is not in custody, the petition for blood testing and the declaration of the employee requesting blood testing shall be completed by the employee with the assistance of the Disability Management and Compliance Unit and County Counsel.

Blood testing for persons not in custody shall be coordinated with the County Department of Health Services.

All information reported shall remain confidential. The confidentiality of inmate personal data, as well as any employee information, may not be reported to anyone except for disclosure as may be necessary to obtain medical or psychological care.

If the exposure did not result in any injury to the employee, a "Report of Request and Decision for HIV Testing (DHS 8459)" shall be completed. A Report of Industrial Injury (SH-AD-92) is not necessary. (See Case Assignment section 4-06/045.00 Communicable Disease.)

In addition to the above, the following shall apply in all cases of reported employee exposure to the bodily fluids of a person in custody:

Supervisor's Responsibilities

- Notify Sheriff's Medical Services at (213) 893-5505 (24-hour number) of the incident;
- Mail or hand carry the original "Report of Request and Decision for HIV Testing (DHS 8459)" to the Department of Health Services and a copy to the Disability Management and Compliance Unit;
- Forward an additional copy of the Employer's Report of Occupational Injury or Illness (SH-AD-92) and a "Report of Request and Decision for HIV Testing (DHS 8459)" to the Chief Physician, 441 Bauchet Street, Los Angeles, CA 90012.

Disability Management and Compliance Unit’s Responsibilities

- Act as a resource agent for Sheriff's Medical Services;
- Maintain a record of reported exposure incidents and make follow-up contact with those affected employees; and
- Assist and coordinate requests for ordered blood testing with Department of Health Services and/or County Counsel.

Medical Services' Responsibilities

- After notification of an employee exposure to the bodily fluids of a person in custody incident, the chief physician or his agent shall immediately assign a medical staff person to evaluate the inmate/prisoner;
- The assigned medical staff person shall review the inmate's medical and social history and attempt to obtain his written permission to have the necessary tests performed as soon as possible;
- If the inmate has given written permission or if the court orders blood testing of such person, Medical Services shall be responsible for obtaining the specimens and arranging for appropriate tests;
- A summary of the evaluation will be submitted to the chief physician for review and appropriate action; and
- The chief physician shall ensure that both the employee and the inmate receive the correct interpretation of the test results and are made aware of any potential risk of acquiring a communicable disease. The employee will be given a referral for confidential counseling at Employee Support Services Bureau.