

1 **ESSB 6285 - H AMD 385 ADOPTED 2-29-96**

2 By Representative Dickerson

3 On page 5, beginning on line 19, strike all of subsections (a)  
4 and (b), and insert:

5 "(a) The sexually transmitted disease status of a department  
6 of corrections offender shall be made available by department of  
7 corrections health care providers and local public health officers  
8 to a department of corrections superintendent or administrator as  
9 necessary for disease prevention or control and for protection of  
10 the safety and security of the staff, offenders, and the public.  
11 The information may be submitted to transporting officers and  
12 receiving facilities, including facilities that are not under the  
13 department of (~~correction's~~) corrections' jurisdiction. For any  
14 HIV testing performed under circumstances described in subsection  
15 (4)(c) of this section, the test results must be given to a  
16 department of corrections superintendent or administrator.

17 (b) The sexually transmitted disease status of a person  
18 detained in a jail shall be made available by the local public  
19 health officer to a jail administrator as necessary for disease  
20 prevention or control and for protection of the safety and security  
21 of the staff, offenders, detainees, and the public. The  
22 information may be submitted to transporting officers and receiving  
23 facilities. For any HIV testing performed under circumstances  
24 described in subsection (4)(c) of this section, the test results  
25 must be given to a jail administrator."

**EFFECT:** This amendment makes the bill's substantive portions consistent with the bill's statement of intent, which is that the bill is not intended to make any changes to the disclosure of HIV tests that an offender voluntarily requests. Language in the bill relating to correctional facility administrators, transporting officers, and receiving facilities appears to

contradict the bill's statement of intent. This amendment changes the language relating to these individuals or facilities to make it clear that they are not automatically entitled to receive the results of an offender's HIV test that was voluntarily requested by the offender. For these individuals or facilities, disclosure will occur only (1) as under current law or (2) under this bill, if a test is required to be performed under RCW 70.24.340, 70.24.360, or 70.24.370, as long as the other conditions for disclosure in the bill are met.