

**HB**

**210**

## SENATE COMMITTEE REPORT

DATE: 4/27/05

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

Judiciary Committee considered CS FOR HOUSE BILL NO. 210(JUD)

### HB 210 BLOC BORN PATHOGEN TESTING

"An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**CS Senate Bill:**  
 Same Title  
 New Title

**SCS House Bill:**  
 Same Title  
 Technical Title Change  
 New Title w/ SCR # \_\_\_\_\_

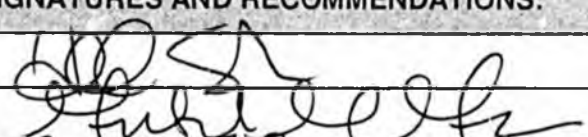
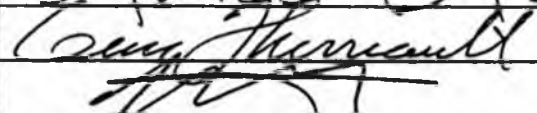
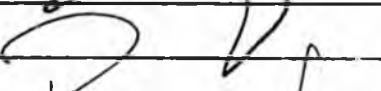
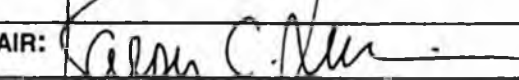
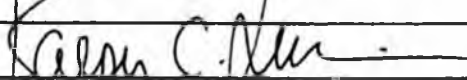
**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	No REC	AMEND
	X			
	X			X
	X			
	✓			
CHAIR: 	✓			

24-LS0626F  
Luckhaupt  
4/29/05

SENATE CS FOR CS FOR HOUSE BILL NO. 210( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES MCGUIRE, Dahlstrom, Gara, Olson, Gatto, Hawker, Stoltze, Chenault,  
Anderson

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to blood testing of certain persons alleged to have committed certain  
2 offenses directed toward peace officers or emergency workers."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 18.15.400 is amended to read:

5           Sec. 18.15.400. Bloodborne pathogen testing of prisoners, certain adult or  
6 juvenile offenders, and public safety [CORRECTIONAL] officers; required  
7 disclosures [TO] and consent [OF PRISONERS AND CORRECTIONAL  
8 OFFICERS]. (a) When requested by a public safety [CORRECTIONAL] officer  
9 who may have received a significant exposure from an adult or juvenile offender or  
10 a prisoner, the employing agency [DEPARTMENT] shall follow the testing  
11 procedures of AS 18.15.400 - 18.15.450 if

12                   (1) a physician licensed under AS 08 determines that a significant  
13 exposure to the public safety [CORRECTIONAL] officer has occurred;

14                   (2) the physician for the public safety [CORRECTIONAL] officer

1 needs the adult or juvenile offender's or prisoner's bloodborne pathogens test results  
2 to begin, continue, modify, or discontinue treatment in accordance with the most  
3 current guidelines of the United States Public Health Service, because of possible  
4 exposure to a bloodborne pathogen; and

5 (3) the public safety [CORRECTIONAL] officer consents to  
6 providing a blood sample for testing for a bloodborne pathogen.

7 (b) Before employing the testing procedures of AS 18.15.400 - 18.15.450 or  
8 disclosing any information about the adult or juvenile offender or prisoner or public  
9 safety [CORRECTIONAL] officer, the employing agency [DEPARTMENT] shall  
10 inform the

11 (1) adult or juvenile offender or prisoner that

12 (A) the adult or juvenile offender's or prisoner's bloodborne  
13 pathogens test results, without the adult or juvenile offender's or prisoner's  
14 name or other uniquely identifying information, shall be reported to the public  
15 safety [CORRECTIONAL] officer if requested and that test results collected  
16 are for medical purposes and may not be used as evidence in any criminal  
17 proceedings or civil proceedings;

18 (B) the adult or juvenile offender or prisoner may refuse to  
19 provide a blood sample and that the adult or juvenile offender's or prisoner's  
20 refusal may result in a request for a court order to require the adult or juvenile  
21 offender or prisoner to provide a blood sample; and

22 (C) the employing agency [DEPARTMENT] will advise the  
23 public safety [CORRECTIONAL] officer of the confidentiality requirements  
24 and penalties before the officer's health care provider discloses any test results;

25 (2) public safety [CORRECTIONAL] officer of the confidentiality  
26 requirements of AS 18.15.440 and that the public safety [CORRECTIONAL] officer  
27 may be subject to penalties for unauthorized release of test results about the adult or  
28 juvenile offender or prisoner.

29 (c) If the disclosures have been made, the employing agency  
30 [DEPARTMENT] shall ask the adult or juvenile offender or prisoner if the adult or  
31 juvenile offender or prisoner has ever had a positive test for a bloodborne pathogen.

1 The employing agency [DEPARTMENT] shall disclose the adult or juvenile  
2 offender's or prisoner's existing bloodborne pathogens test results to the public safety  
3 [CORRECTIONAL] officer without the adult or juvenile offender's or prisoner's  
4 name or other uniquely identifying information.

5 \* Sec. 2. AS 18.15.410 is amended to read:

6 **Sec. 18.15.410. Consent for testing; court order for testing; exception. (a)**

7 When a public safety [CORRECTIONAL] officer has made a request under  
8 AS 18.15.400, except as provided in (b) or (c) of this section or in AS 18.15.420,  
9 before collecting and testing the blood of an adult or juvenile offender or a prisoner,  
10 the employing agency shall [DEPARTMENT MUST] first obtain the consent of the  
11 adult or juvenile offender or prisoner or the adult or juvenile offender's or  
12 prisoner's representative if the adult or juvenile offender or prisoner is unable to  
13 provide the consent.

14 (b) Consent of an adult or juvenile offender's or a prisoner's representative  
15 is not required if the employing agency [DEPARTMENT] has made reasonable  
16 efforts to locate the adult or juvenile offender's or prisoner's representative and the  
17 representative cannot be found within 24 hours after a significant exposure. If testing  
18 of available blood occurs without consent because the adult or juvenile offender or  
19 prisoner is unconscious or unable to provide consent, and a representative cannot be  
20 located, the employing agency [DEPARTMENT] shall provide the information  
21 required in AS 18.15.400 to the adult or juvenile offender, prisoner, or representative  
22 whenever it is possible to do so.

23 (c) If an adult or juvenile offender or a prisoner dies before an opportunity  
24 to consent to blood collection or testing, consent is not required, and the adult or  
25 juvenile offender's or prisoner's blood may be collected and tested.

26 (d) If the adult or juvenile offender or prisoner or the adult or juvenile  
27 offender's or prisoner's representative, if appropriate, consents and a sample of the  
28 adult or juvenile offender's or prisoner's blood

29 (1) is available, the employing agency [DEPARTMENT] shall have  
30 the blood tested for bloodborne pathogens;

31 (2) is not available, the employing agency [DEPARTMENT] shall

1 collect a sample and have the blood sample tested for bloodborne pathogens.

2 (e) The employing agency [DEPARTMENT] may not withhold care or  
3 treatment on the requirement that the adult or juvenile offender or prisoner consent  
4 to testing for bloodborne pathogens.

5 \* Sec. 3. AS 18.15.420 is amended to read:

6 **Sec. 18.15.420. Testing without consent.** (a) When a public safety  
7 [CORRECTIONAL] officer has made a request under AS 18.15.400, the employing  
8 agency [DEPARTMENT] shall file a petition in the superior court for a court order  
9 requiring the adult or juvenile offender or prisoner to provide a blood sample for  
10 testing for bloodborne pathogens. The employing agency [DEPARTMENT] shall  
11 serve the petition on the adult or juvenile offender or prisoner at least 48 hours  
12 before a hearing on the petition. The petition must include the following information  
13 supported by affidavit:

14 (1) a statement that the employing agency [DEPARTMENT] followed  
15 the procedures in AS 18.15.400 - 18.15.450 and attempted to obtain bloodborne  
16 pathogens test results according to those sections;

17 (2) a statement that

18 (A) the public safety [CORRECTIONAL] officer and  
19 employing agency [DEPARTMENT] have documented the officer's exposure  
20 to blood or body fluids during performance of the officer's work duties;

21 (B) the employing agency [DEPARTMENT] has asked the  
22 adult or juvenile offender or prisoner to consent under AS 18.15.410, and the  
23 adult or juvenile offender or prisoner does not consent;

24 (C) the employing agency [DEPARTMENT] has provided the  
25 public safety [CORRECTIONAL] officer and the adult or juvenile offender  
26 or prisoner with the disclosures required under AS 18.15.400; and

27 (D) the employing agency [DEPARTMENT] has informed the  
28 public safety [CORRECTIONAL] officer of the confidentiality requirements  
29 of AS 18.15.440 and the penalties for unauthorized release of adult or  
30 juvenile offender or prisoner information;

31 (3) a statement that a physician licensed under AS 08 and

1 knowledgeable about the most current recommendations of the United States Public  
2 Health Service has determined that a significant exposure has occurred to the public  
3 safety [CORRECTIONAL] officer; and

4 (4) a statement that a physician has documented that the public safety  
5 [CORRECTIONAL] officer has provided a blood sample and consented to testing for  
6 bloodborne pathogens, and bloodborne pathogens test results are needed for  
7 beginning, continuing, modifying, or discontinuing medical treatment for the public  
8 safety [CORRECTIONAL] officer.

9 (b) A court shall order an adult or juvenile offender or a prisoner to provide  
10 a blood sample for bloodborne pathogen testing if the court finds that

11 (1) there is probable cause to believe that a significant exposure to the  
12 public safety [CORRECTIONAL] officer from the adult or juvenile offender or  
13 prisoner has occurred;

14 (2) a licensed physician for the public safety [CORRECTIONAL]  
15 officer needs the test results for beginning, continuing, modifying, or discontinuing  
16 medical treatment for the public safety [CORRECTIONAL] officer; or

17 (3) a compelling need for the testing and test results exists; in making  
18 this finding, the court shall consider the need for the test against the privacy or other  
19 interests of the adult or juvenile offender or prisoner.

20 (c) The court may impose appropriate safeguards against unauthorized  
21 disclosure by specifically identifying the persons to have access to the test results and  
22 the uses of the test results when ordering a test under (b) of this section.

23 (d) After testing is completed under this section, the employing agency  
24 [DEPARTMENT] shall inform the adult or juvenile offender or prisoner whose  
25 blood was tested of the results. The employing agency [DEPARTMENT] shall  
26 inform the public safety [CORRECTIONAL] officer's physician of the adult or  
27 juvenile offender's or prisoner's test results without the adult or juvenile offender's  
28 or prisoner's name or other uniquely identifying information.

29 \* Sec. 4. AS 18.15.440 is amended to read:

30 Sec. 18.15.440. **Confidentiality; penalties for unauthorized disclosure;**  
31 **immunity.** (a) Bloodborne pathogens test results of an adult or juvenile offender or

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

a prisoner are confidential and may not be disclosed except as provided in AS 18.15.400 - 18.15.450 and as needed for the treatment or medical care of a an adult or juvenile offender or prisoner specific to a bloodborne pathogen-related illness.

(b) An adult or juvenile offender or a prisoner may bring a civil action against a person who knowingly, in violation of AS 18.15.400 - 18.15.450, releases the adult or juvenile offender's or prisoner's name or other uniquely identifying information with the test results or otherwise releases the test results.

(c) The employing agency [DEPARTMENT], a physician, and designated health care personnel are immune from liability in any civil, administrative, or criminal action relating to the disclosure of test results of an adult or juvenile offender or a prisoner to a public safety [CORRECTIONAL] officer and the testing of a blood sample from an adult or juvenile offender or a prisoner for bloodborne pathogens if a good faith effort has been made to comply with AS 18.15.400 - 18.15.450.

\* Sec. 5. AS 18.15 is amended by adding a new section to read:

Sec. 18.15.445. Assistance by departments and municipalities. The department, the Department of Public Safety, the Department of Corrections, and each municipality shall assist public safety officers and employing agencies in complying with the requirements of AS 18.15.400 - 18.15.450.

\* Sec. 6. AS 18.15.450 is amended by adding new paragraphs to read:

(6) "adult or juvenile offender" means a person *in custody, arrested* charged under a criminal complaint or a minor being held or subject to a petition under AS 47.12; #1

(7) "employing agency" means the

(A) department that employs a state employee who is, or contracts with another person who is or employs, a public safety officer;

(B) municipality that employs a municipal employee who is, or contracts with another person who is or employs, a public safety officer or that contracts with, sponsors, or accepts the services of a public safety officer who volunteers for a volunteer fire department or emergency medical services agency;

1 (C) Department of Public Safety for a public safety officer who  
2 volunteers for a volunteer fire department or emergency medical services  
3 agency that provides services in the unorganized borough outside of a  
4 municipality;

5 (8) "public safety officer" means a state or municipal juvenile or adult  
6 correctional, probation, or parole officer, a contractor or employee of a contractor in a  
7 correctional facility, a juvenile detention or treatment facility staff member, or a peace  
8 officer or fire fighter, emergency medical technician, or mobile intensive care  
9 paramedic employed by or volunteering for the state or a municipality or volunteer fire  
10 department or emergency medical services provider.

11 \* Sec. 7. AS 18.15.450(2) and 18.15.450(3) are repealed.

# ALASKA STATE LEGISLATURE



Session  
State Capitol Building, Room 118  
Juneau, Alaska 99801-1182  
Phone (907) 485-2995  
Fax (907) 485-8592

Interim  
716 West Fourth Avenue, Suite 430  
Anchorage, Alaska 99501  
Phone (907) 269-0250  
Fax (907) 269-0249

**REPRESENTATIVE LESIL MCGUIRE**  
**HOUSE DISTRICT 28**

Chair  
Judiciary Committee

Member  
House Leadership  
Rules Committee  
Health, Education  
& Social Services  
Committee  
Oil & Gas Committee  
Military & Veterans'  
Affairs Committee

## SPONSOR STATEMENT HB 210

*"An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."*

HB 210 takes policies and procedures for testing for blood borne pathogen exposure to correctional officers that were passed by the 23<sup>rd</sup> Alaskan Legislature and expands them to include peace officers, firefighters, emergency medical technicians and mobile paramedics.

The bill first sets out procedures for determining if the first responders were exposed to blood borne pathogens in the course of their work. Once it is reasonably concluded that such exposure has occurred, the bill then sets out procedures for obtaining the consent of the person who exposed the first responder to have his or her blood tested. These procedures protect the identity of the person tested and pass on only the results of the test to the first responder exposed to the blood borne pathogens. The results of the test are also passed on to the person tested.

The bill also provides procedures for court ordered testing of the person who exposed the first responder to blood borne pathogens if that person refuses to be tested. The bill does not enact any new policies or procedures for blood borne pathogen testing, it simply extends the policies and procedures enacted by the 23<sup>rd</sup> Alaskan Legislature for correctional officers to the other first responders mentioned above.

# ALASKA STATE LEGISLATURE

Session  
State Capitol Building, Room 118  
Juneau, Alaska 99801-1182  
Phone (907) 465-2895  
Fax (907) 465-8592

Interim  
716 West Fourth Avenue, Suite 430  
Anchorage, Alaska 99501  
Phone (907) 269-0250  
Fax (907) 269-0246



REPRESENTATIVE LESLIE MCGUIRE  
HOUSE DISTRICT 28

Chair  
Judiciary Committee

Member  
House Leadership  
Rules Committee  
Health, Education  
& Social Services  
Committee  
Oil & Gas Committee  
Military & Veterans'  
Affairs Committee

## SECTIONAL ANALYSIS HB 210

*"An Act relating to blood testing of certain persons alleged to have committed certain offenses directed toward peace officers or emergency workers."*

Section 1 – Amends AS 18.15.400 by adding the term adult or juvenile offenders. By replacing *correctional* with public safety officers and replacing *department* with employing agency. This section authorizes bloodborne pathogen testing of prisoners when requested by public safety officer who has received significant exposure from a prisoner.

Section 2 – Amends AS 18.15.410 by adding the term adult or juvenile offenders. By replacing *correctional* with public safety officers and replacing *department* with employing agency. This section specifies the requirement of consent for testing; from the prisoner or the prisoner's representative.

Section 3 – Amends AS 18.15.420 by adding the term adult or juvenile offenders. By replacing *correctional* with public safety officers and replacing *department* with employing agency. This section provides provisions for testing without consent. There must be probable cause that a significant exposure has occurred, a licensed physician has to determine that test results are necessary, or a compelling need for testing exists. The court shall consider the need for the test against privacy or other interests of the prisoner.

Section 4 – Amends AS 18.15.440 by adding the term adult or juvenile offenders. By replacing *correctional* with public safety officers and replacing *department* with employing agency. This section states that confidentiality provisions apply and results can be disclosed only as needed for treatment.

Section 5 – Amends AS 18.15 by adding a new section AS 18.15.445 Assistance by departments and municipalities. Specifically stating that the department, the department of public safety, the department of corrections, and each municipality shall assist public safety officers and employing agencies in complying with the requirements of AS 18.15.400-18.15.450.

Section 6 – Amends AS 18.15.450 by adding new paragraphs. (Definitions)

# FISCAL NOTE

STATE OF ALASKA  
2005 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: HB210-LAW-CDCO-3-29  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: LAW  
Title "An Act relating to blood testing of certain RDU CRIMINAL  
persons alleged to have committed certain offenses..." Component Criminal Justice Litigation  
Sponsor Representative McGuire  
Requester House Judiciary Component No. \_\_\_\_\_

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends AS 18.15.400 (Health, Safety, and Housing - Disease Control - Blood Testing of Prisoners for Bloodborne Pathogens) by broadening it to include all peace officers and emergency workers who may have exposure to offenders with blood borne pathogens. The current statute protects correctional officers from exposure to prisoners. This bill would also extend beyond prisoners, to any adult or juvenile offender whether incarcerated or not. The bill seeks to acknowledge that the risk of exposure to blood born pathogens is significant for all peace officers and the ability to test blood to identify where and when medical treatment might be needed is an important protection measure.

Passage of this legislation will have no fiscal impact on the Department of Law.

Prepared by: Kathryn Daughhetee, Director Phone 465-3673  
Division Administrative Services Division Date/Time 3/29/05 4:18 PM  
Approved by: K. Daughhetee for Scott Nordstrand, Acting Attorney General Date 3/29/2005  
Agency Department of Law

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 210  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Corrections  
 Title "An act relating to blood testing of certain persons  
alleged to have committed certain offenses directed ..." RDU Administration & Operations  
 Sponsor Representative McGuire Component: Inmate Health Care  
 Requester Judiciary, Finance Component No. 705

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-----------------------------	------------	------------	------------	------------	------------	------------

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
-------------------------------	------------	------------	------------	------------	------------	------------

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

This legislation expands Ch 142, SLA 04, HCS CSSB 309 (JUD) to include other "public safety officers from other public safety agencies and exposure from juvenile offenders".

The Department of Corrections does not anticipate a significant fiscal impact with the passage of this legislation.

Prepared by: Sharleen Griffin, Acting Director  
 Division: Administrative Services  
 Approved by: Portia C. K. Parker, Deputy Commissioner  
 Agency: Department of Corrections

Phone (907) 465-4647  
 Date/Time 3/28/05 9:39 AM  
 Date 3/28/2005

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 210  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: \_\_\_\_\_  
 Title Bloodborne Pathogen Testing BRU Alaska Court System  
 Component Trial Courts  
 Sponsor McGuire  
 Requester \_\_\_\_\_ Component No. 768

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2005) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of HB 210.

Prepared by: Douglas Wooliver, Administrative Attorney Phone 463-4750  
 Division: Alaska Court System Date/Time 3/24/05 9:12 AM  
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date 3/24/2005  
 Agency: Alaska Court System

# FISCAL NOTE

**STATE OF ALASKA**  
**2005 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB210-DPS-ASTD-3-30-05  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to blood testing of certain persons  
alleged to have committed certain offenses..." RDU: Alaska State Troopers  
 Component: AST Detachments  
 Sponsor: Rep. McGuire  
 Requester: House Judiciary Component No. 2325

**Expenditures/Revenues (Thousands of Dollars)**

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Personal Services						
Travel						
Contractual						
Supplies						
Equipment:						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type—Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2006) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill amends AS 18.15.400 -18.15.450. Peace officers, fire fighters, emergency medical technicians, mobile intensive care paramedics employed or volunteering for the state or municipality, a volunteer department or emergency medical service provider will be able to request bloodborne pathogen testing when they have been exposed to blood or body fluids during the performance of their duties. The bill will now allow bloodborne testing of certain adult or juvenile offenders in addition to prisoners. The "employing agency" is responsible for insuring the testing procedures are followed correctly. Passage of this bill will have no immediate fiscal impact on the Department of Public Safety, and simply outlines the proper course of action when personnel are exposed to blood or body fluids. DPS has a policy for reporting this kind of exposure.

Prepared by: Lieutenant Todd Sharp Phone 907-465-3223  
 Division: Alaska State Troopers Date/Time 3/30/05 12:01 PM  
 Approved by: Commissioner William Tandeske Date 3/30/2005  
 Agency: Department of Public Safety