

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to direct the Secretaries of Health and Human Resources and Public Safety to establish a work*
3 *group to develop a plan to improve the Commonwealth's response to exposure-prone incidents*
4 *involving law-enforcement officers, firefighters, and emergency medical services providers.*

5 [H 661]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 1. § 1. *That the Secretaries of Health and Human Resources and Public Safety and Homeland Security*
9 *(the Secretaries) shall establish a work group to develop a plan to improve the Commonwealth's*
10 *response to exposure-prone incidents involving employees of law-enforcement agencies, volunteers and*
11 *employees of fire departments and companies, and volunteers and employees of emergency medical*
12 *services agencies and other appropriate entities. The work group shall include (i) the Superintendent of*
13 *State Police, the Commissioner of Health, the Executive Director of the Department of Fire Programs,*
14 *and the Director of the Department of General Services, or their designees; (ii) representatives of local*
15 *law-enforcement agencies, fire departments and companies, and emergency medical services agencies;*
16 *(iii) representatives of organizations representing law-enforcement officers, salaried and volunteer*
17 *firefighters, and salaried and volunteer emergency medical services providers; and (iv) such other*
18 *stakeholders as the Secretaries shall deem appropriate.*

19 *In conducting its work, the work group shall:*

20 1. *Develop a plan for the establishment of an entity to assist with the management of exposure-prone*
21 *incidents involving employees of law-enforcement agencies, volunteers and employees of fire departments*
22 *and companies, and volunteers and employees of emergency medical services agencies and other*
23 *appropriate entities. Such assistance shall include assistance with (i) the process of confirming whether*
24 *a volunteer or employee has been involved in an exposure-prone incident and, as a result of such*
25 *exposure-prone incident, has been exposed to the body fluids of another person in a manner that may,*
26 *according to the then-current guidelines of the Centers for Disease Control and Prevention, transmit*
27 *human immunodeficiency virus or hepatitis B or C viruses; (ii) coordinating the process by which*
28 *specimens of a person's body fluids are collected and tested to determine whether the person was*
29 *infected with human immunodeficiency virus or hepatitis B or C viruses; and (iii) coordinating the care*
30 *and treatment of a volunteer or employee for whom post-exposure prophylactic treatment or other*
31 *treatment is required. Such entity shall also be charged with (a) providing training and education to*
32 *designated infection control officers and others on topics related to preventing exposure-prone incidents,*
33 *identifying and responding to exposure-prone incidents, and treatment and follow-up care for volunteers*
34 *and employees involved in exposure-prone incidents and (b) collecting data from law-enforcement*
35 *agencies, fire departments and companies, emergency medical services agencies, and others regarding*
36 *the number of requests for assistance in determining whether an exposure-prone incident has occurred,*
37 *the number of confirmed exposure-prone incidents, the number of cases involving an exposure-prone*
38 *incident in which a specimen was collected and tested and whether the person from whom such*
39 *specimen was collected was deceased or living, the number of cases in which post-exposure prophylaxis*
40 *was required, and, in cases in which post-exposure prophylaxis was required, the duration and cost of*
41 *such treatment. In developing the plan, the work group shall evaluate and provide recommendations*
42 *related to the appropriate state agency or body to operate or provide oversight of the entity, the*
43 *structure and organization of the entity, the specific powers and duties of the entity, and the cost to*
44 *establish the entity. The work group shall also provide specific recommendations for legislative,*
45 *regulatory, or budgetary actions necessary to establish the entity; and*

46 2. *Study and develop recommendations related to developing the ability to perform postmortem*
47 *testing for infection with human immunodeficiency virus or hepatitis B or C viruses through the Division*
48 *of Consolidated Laboratory Services. Such study shall include analysis of (i) the steps necessary to*
49 *implement postmortem testing for infection with human immunodeficiency virus or hepatitis B or C*
50 *viruses using a screening assay that is licensed for such purpose by the U.S. Food and Drug*
51 *Administration, (ii) the potential cost to the Commonwealth of developing the ability to perform*
52 *postmortem testing for infection with human immunodeficiency virus or hepatitis B or C viruses using a*
53 *screening assay that is licensed for such purpose by the U.S. Food and Drug Administration through the*
54 *Division of Consolidated Laboratory Services, and (iii) any potential savings to the Commonwealth*
55 *resulting from implementing postmortem testing for infection with human immunodeficiency virus or*
56 *hepatitis B or C viruses using a screening assay that is licensed for such purpose by the U.S. Food and*

- 57** *Drug Administration through the Division of Consolidated Laboratory Services.*
- 58** *The work group shall report its findings, conclusions, and recommendations to the Governor and the*
- 59** *General Assembly by December 1, 2020.*