

By: Deuell

S.B. No. 2419

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to preventative treatment for state employees exposed to  
3 HIV while performing duties of employment.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 85.116(a), (d), and (e), Health and  
6 Safety Code, are amended to read as follows:

7 (a) On an employee's request, a state agency shall pay the  
8 costs of testing, preventative treatment, and counseling an  
9 employee of that agency concerning HIV infection if:

10 (1) the employee documents to the agency's  
11 satisfaction that the employee may have been exposed to HIV while  
12 performing duties of employment with that agency; and

13 (2) the employee was exposed to HIV in a manner that  
14 the United States Public Health Service has determined is capable  
15 of transmitting HIV.

16 (d) The cost of a state employee's testing, preventative  
17 treatment, and counseling shall be paid from funds appropriated for  
18 payment of workers' compensation benefits to state employees. The  
19 director of the workers' compensation division of the attorney  
20 general's office shall adopt rules necessary to administer this  
21 subsection.

22 (e) Counseling or a test conducted under this section must  
23 conform to the model protocol on HIV counseling and testing  
24 prescribed by the department. Preventative treatment for HIV

1 provided under this section must conform to the model protocol on  
2 HIV preventative treatment prescribed by the department.

3           SECTION 2. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2009.