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## Bloodborne Pathogen Precautions

### 1413.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures to be used when an employee faces potential exposure to blood borne pathogens and disease.

### 1413.2 POLICY

It is the policy to provide employees with the safest possible work environment which limits exposure to recognized hazards which may cause death or serious physical harm. The sheriff's office shall provide personal protective equipment, adequate training in work practices and procedures, and ensure employees who are exposed to blood borne diseases are provided with confidential medical treatment. Each employee has the responsibility to control exposure and prevent the spread of bloodborne pathogens. Fear of contracting a communicable disease does not relieve employees from the obligation to perform their duties.

### 1413.3 DEFINITIONS

AIDS - Acquired immunodeficiency syndrome

Blind search - Any method of searching places, vehicles, or individuals in which an employee blindly inserts his hand into a place that cannot be seen; i.e. clothing pockets, beneath car seats, beneath furniture, etc.

Blood - Human blood, human blood components, and products from human blood.

Bloodborne pathogens - Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include but are not limited to hepatitis B (HBV) and human immunodeficiency virus (HIV) Body fluid: Any fluid from the body including blood, semen, vaginal discharge, tears, saliva, perspiration, vomit, urine, or feces.

Contaminated - The presence or the reasonable anticipated presence of blood or other potentially infectious materials on an item or surface.

Contaminated laundry - Laundry that has been soiled with blood or potentially infectious materials or may contain sharps.

Contaminated sharps - Any contaminated object that can penetrate the skin, including but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Decontamination - The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

Significant exposure incident - A specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

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Hand washing facility - A facility providing an adequate supply of running potable water, soap, and single-use towels or hot air drying machines.

HBV - Hepatitis B virus HIV: Human immunodeficiency virus.

Licensed health care professional - A person whose legally permitted scope of practice allows him or her to independently perform the activities required by Hepatitis B vaccinations, post exposure evaluation, and follow-up care.

Occupational exposure incident - Reasonably anticipated skin, eye, mucous membrane, or non-parenteral contact with blood or other potentially infectious materials which may result from the performance of a employee's duties.

Parenteral - Piercing mucous membranes or other skin barrier through such events such as needle sticks, human bites, cuts, and abrasions whereby an exchange of body fluids may have occurred.

Personal protective equipment - Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes not intended to function as protection against a hazard are not considered personal protective equipment.

Source individual - An individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

Sterilize - The use of physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Universal precautions - An approach to infection control; According to the concept of universal precautions, all human blood and certain human body fluid are treated as if known to be infectious for HIV, HBV, and their bloodborne pathogens.

Workplace practice controls - Controls that reduce the likelihood of exposure by altering the manner in which a task is performed; example: prohibiting recapping of needles by a two handed technique.

#### **1413.4 ANTICIPATED RISKS**

1. All employees have a reasonably anticipated risk of exposure to blood or other potentially infectious materials.

2. Exposure hazards include, but are not limited to:

- a. Administering first aid / CPR
- b. Conducting searches of suspects
- c. Handling, packaging, and storage of evidence
- d. Handling deceased persons
- e. Processing accident and crime scenes
- f. Decontaminating equipment and vehicles
- g. Effecting the arrest and control of suspects

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#### **1413.5 PRECAUTIONS AND WORKPLACE CONTROLS**

1. Universal precautions shall be observed to prevent contact with blood or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used.
2. All employees shall wash their hands and any other contaminated skin as soon as possible following contact with blood or other potentially contaminated material. If a hand washing facility is not readily accessible, employees shall use alcohol or germicidal towelettes and proceed to a hand washing facility as soon as possible. Employees shall be provided with an adequate supply of alcohol or other germicidal towelettes.
3. Latex gloves shall be worn at all times when it can be reasonably anticipated an exposure to blood or infectious materials is possible. Hands shall be washed immediately after the removal of gloves.
4. An employee who has contaminated fluids splashed in the eyes shall immediately wash the eyes with eyewash and as soon as possible proceed to a facility where equipment for the continued flushing of the eyes is available.
5. Employees shall not bend, recap, shear, break, or remove needles or other sharps unless a mechanical device is used to reduce the likelihood of a needle stick by a contaminated needle or other sharp implement.
6. Contaminated needles or other sharps shall be placed in labeled, puncture resistant containers.
7. Employees shall not eat, drink, smoke, apply lip balm, or handle contact lenses in areas where occupational exposure to blood borne pathogens may occur. Food and drink may not be stored in places where blood or other potentially infectious materials are kept.
8. Leak proof containers must be used to prevent leakage during the collection, processing, storage, transport, or shipping of potentially hazardous materials. The container must also be labeled with a biohazard symbol and color-coded prior to shipping. All contaminated equipment must be decontaminated prior to servicing. If the equipment cannot be decontaminated, the contaminated portions must be labeled and the persons likely to come into contact with the equipment must be notified of the presence of contaminants prior to shipping.

#### **1413.6 PERSONAL PROTECTIVE EQUIPMENT**

1. Personal protective equipment shall be worn whenever it can be reasonably anticipated that occupational exposure may occur.
2. An employee shall not be in violation of this policy if the member temporarily and briefly declines to use personal protective equipment when, under rare and extraordinary circumstances, it is the employee's professional judgment that in the specific instance its use would prevent the delivery of health care or public safety services or would pose an increased hazard to the safety of the employee or their coworkers.

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3. All employees shall be issued or have available the following personal protective equipment:
  - a. Latex gloves (if a glove allergy exists, appropriate substitutions shall be provided)
  - b. A supply of 70% alcohol or germicidal towelettes
  - c. OSHA approved protective eye wear with solid side shields
  - d. Sharps containers
  - e. Pocket mask resuscitator equipped with anti-backflow valves
  - f. Eyewash (minimum of 240 cc)
  - g. Hazardous materials disposal bags
  - h. Protective face mask
4. Employees shall maintain adequate supplies of protective equipment readily available for use and shall notify the immediate supervisor when such equipment is depleted or in need of replacement.

#### **1413.7 VACCINATIONS**

1. The County of Montgomery shall make available the Hepatitis B vaccine and vaccination series to all sworn and certified employees of the sheriff's office.
2. Administration of the Hepatitis B vaccine program and the required record keeping shall be the responsibility of the county's human resource department.
3. All sworn or certified employees shall have the Hepatitis B vaccine made available and all new sworn members hired shall have the Hepatitis B vaccine made available to them within 10 working days of employment if they have never received the vaccine within their life. It is the responsibility of the employee to determine this and make the request.
4. Any sworn or certified employee who chooses to decline the Hepatitis B vaccine and vaccination series shall be required to execute an Employee Hepatitis B Vaccine Declination Form.
5. Sworn or certified employees with documented HBV immunity do not require immunization.
6. If the U.S. Public Health Service recommends a booster dose of Hepatitis B vaccine at a future date, such booster dose(s) shall be made available.

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#### **1413.8 FIRST AID AND CPR**

1. All employees who administer first aid or CPR when there is a reasonably anticipated contact with blood, mucus membranes, or non-intact skin shall wear latex gloves.
2. Issued pocket masks shall be utilized in all CPR and mouth-to-mouth resuscitation efforts, if available.
3. In the event of massive arterial bleeding, combative bleeding persons, or other circumstances in which blood or other body fluids may be splashed about, personnel should wear gloves, masks, eye shields, and raincoat.

#### **1413.9 SEARCH AND EVIDENCE HANDLING AND PRECAUTIONS**

1. Employees are encouraged to use very careful judgment before placing their hands inside an individual's pockets, clothing, etc. Outside pat-down procedures should be carefully conducted in order to locate any potentially sharp objects within an individual's clothing.
2. Employees conducting searches of bloodied individuals should wear latex gloves.
3. Employees are discouraged from conducting "blind searches" in vehicles, residences, etc.
4. Any hypodermic syringe will be treated as a potential source of exposure to an infectious disease. Employees who seize any hypodermic syringe that has the needle exposed shall immediately place the seized item into an approved puncture proof container prior to transportation. The syringe shall not be removed from the container except by mechanical means that do not require touching the syringe.

#### **1413.10 BODY FLUIDS AND DECEASED PERSONS**

1. All body fluid spills will be regarded as potentially infectious.
2. Latex gloves, protective eyewear and facemasks shall be worn whenever contact with body fluid spills is likely. Employees shall use protective facemasks and make every effort to avoid having body fluids splashed on them.
3. Emergency Medical Service personnel frequently call upon law enforcement officers to provide supplemental manpower in the removal of injured or deceased persons. Employees will continue to provide such assistance when requested; however, they will first consult with Emergency Medical Services personnel about appropriate precautions and shall adhere to those precautions in addition to these guidelines.
4. Employees shall adhere to the decontamination procedure after dealing with body fluid spills of injured or deceased persons.

#### **1413.11 DECONTAMINATIONS AND CLEAN UP**

1. Contaminated fluids should be washed off with hot soapy water. Employees should clean equipment such as flashlights, handcuffs, etc. immediately after exposure, with a freshly mixed solution of one (1) part household bleach to ten (10) parts water applied with a spray bottle. Lysol aerosol spray is also an effective virucidal against most infectious diseases. Latex gloves should be worn during the decontamination of equipment.

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2. Contaminated clothing shall be removed immediately and isolated in a plastic bag until laundered. Heavily contaminated clothing shall be placed in a hazardous materials bag or plastic bag labeled with biohazard labels to notify laundry or cleaning personnel.

#### **1413.12 DISPOSALS**

1. The contaminated disposable items shall be secured in the hazardous materials disposal bag provided to the employee.

2. The hazardous materials disposal bag shall be taken to the nearest hospital for proper disposal.

3. Sharps or syringes shall be placed in a sharps collection container at the nearest hospital through a method that does not require touching the sharps.

4. In the event that a body fluid spill occurs within a sheriff's office vehicle, the employee should follow normal decontamination procedures and should not use household bleaches or cleaners.

5. Sheriff's office vehicles contaminated with large amounts of blood should be taken to out of service for decontamination cleaning. A biohazard label must be attached to the vehicle in a conspicuous location to alert other personnel to the potentially infectious material.

6. Employees who have an exposure incident shall take all applicable precautionary post-exposure measures and notify his/her immediate supervisor without delay.

#### **1413.13 EXPOSURE: SUPERVISOR'S RESPONSIBILITIES**

1. Confirm the employee has made every effort to decontaminate himself/herself.

2. Determine if a specific exposure incident has occurred. If the supervisor determines that a specific exposure incident has occurred, or if there is a doubt or difference of opinion, the supervisor shall contact the Division Manager for assistance who will notify the Sheriff. The employee will be required to complete an incident report and a Post Exposure Incident Report, Form MCSO-8.

3. Unless done by investigating health officials, the Division Manager will interview the source individual and request he/she voluntarily submit to have blood drawn and tested for Hepatitis B antigen, Hepatitis C antibody, and HIV antibody. If the source individual is willing to consent, the Division Manager shall make every effort to secure a signed Antibody Testing Consent and Consent to Release Medical Information on a Form MCSO-8B.

4. When the source person does not consent to testing, direct the exposed member to prepare an affidavit detailing the extent of the exposure and all obtainable information about the suspected disease carrier (source). The affidavit should contain such available information as the name, address, race, sex, and date of birth, and if possible, sexual history, illicit drug use history, and past medical history of the suspected carrier. The affidavit should contain any relevant information that may help the magistrate or other judicial official determine whether there is probable cause to believe that the employee was exposed to the source person in a manner that poses significant risk of transmission of Hepatitis or HIV by the source person. The affidavit shall be attached to a Form MCSO-8C.

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5. If the source person is an arrestee, prepare a written Motion to Investigate Exposure on Form MCSO-8C and present it to the magistrate or other judicial official during the arrestee's initial appearance, requesting the arrestee be detained for a reasonable period of time, not to exceed twenty-four (24) hours for investigation by public health officials pursuant to General Statute 15A-534.3, 130A-144, 130A-148, and 15A NCAC 19A.0202-.0203. If the source individual is not an arrestee and refuses to be tested or is no longer available for testing, the public health director may institute regulatory procedures to locate and require testing of the source person.
6. Present the Written Motion to Investigate with a supporting affidavit of the exposed member, and proposed Order to Investigate Exposure Form MCSO-8D to the magistrate at the time of the initial appearance. The Motion and Order may be standard departmental forms or any other suitable forms approved by the local District Attorney and/or the Chief District Court Judge.
7. If the magistrate finds probable cause to believe the employee was exposed to an arrestee in a manner that poses a significant high risk of transmission of HIV or Hepatitis B, assist the magistrate in serving a copy of the Order on a local health director, or in his absence, other licensed physician or designated representative of the local health department.
8. If circumstances surrounding the exposure are determined by the Health Department to pose a significant risk of transmission of either HIV or Hepatitis B and the source individual is not a known carrier, ensure that this determination is communicated to the magistrate. In these cases, the magistrate or other judicial official is presented a copy of the proposed Order to Test Blood Form MCSO-8E or a copy of a suitable order approved by the local District Attorney or Chief District Judge, for the purpose of ordering the taking of an adequate amount of the arrestee's blood to test for HIV and/or Hepatitis B.
9. If the magistrate issues the Order to detain the arrestee, coordinate with and assist the investigating health care professional in providing such pre-test counseling for the source person as required by 15A NCAC 19A.0202 (9) (10). Once this pre-test counseling is either accomplished or refused, unless county health officials are able to determine without testing that the defendant is a known carrier of HIV or Hepatitis B, ensure that the arrestee's blood is drawn for the purpose of testing. If this cannot be accomplished by a trained nurse or other licensed medical practitioner at the jail, the defendant should be transported to a local medical facility (ex: hospital emergency room) in accordance with the order issued by the magistrate or other judicial official.
10. Assist the employee in consulting with an on-duty physician for testing and/or treatment that may be recommended by the physician. The exposed member's blood shall be collected as soon as feasible. The collection shall be documented on Form MCSO-8A. If the sworn or certified member consents to a base line blood collection, but does not consent to testing, the sample shall be preserved for not less than ninety (90) days. Instruct the health care professional to draw a sufficient amount of blood to establish a base line test concerning occupational exposures to blood borne pathogens.

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11. Ensure the exposed member signs the appropriate Employee Antibody Testing Consent and Authorization to Release Medical Information form MCSO-8A, allowing the treating physician and laboratory to disclose necessary information to the Montgomery County Human Resources Director for follow-up treatment and record keeping purposes as required by law.
12. Complete and review Post Exposure Incident Reports forms and forward them immediately to the Montgomery County Human Resources Office through the Sheriff.
15. Provide the health care professional evaluating the employee with the following information:
  - a. A copy of 29 CFR 1910.1030;
  - b. A description of the exposed employee's duties as they relate to the exposure incident;
  - c. Details related to the exposure incident;
  - d. The name, address, and telephone number of the local health official who conducted the initial investigation so that he may obtain the results of the source individual's blood testing and other pertinent information; and
  - e. Medical information relevant to the appropriate treatment of the member, including vaccination status.

#### **1413.14 HUMAN RESOURCES DIRECTOR RESPONSIBILITIES**

1. Inform the exposed employee of the results of testing and all applicable laws and regulation concerning the disclosure of the identity and infectious status of the source individual.
2. Ensure all laboratory tests are conducted by an accredited laboratory.
3. As soon as may be practical, but not later than fifteen (15) days after completion of the evaluation, inform the exposed member of any medical condition resulting from the exposure to blood and other potentially infectious materials which require further evaluation and treatment.
4. Coordinate and/or provide follow-up testing, evaluation, and treatment as may be appropriate unless the exposed member refuses to consent to such follow-up testing, evaluation, or treatment.
5. Coordinate and/or provide counseling, if appropriate.
6. Maintain medical records in accordance with the provisions of 29 CFR 1910.1030 (h) (1).

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7. Within 15 days of the completed evaluation, the Human Resources Director shall ensure the exposed employee is furnished with copies of:

a. The health care professional's written opinion regarding a Hepatitis B vaccination which shall be limited to whether or not a hepatitis B vaccination is indicated for the member and if the member has received such vaccination;

b. The health care professional's written opinion for post-exposure evaluation and follow-up limited to the following information:

1. That the employee has been informed of the results of the evaluation; and

2. The employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment

8. All other findings or diagnoses shall remain confidential and shall not be include in the written report.

#### **1413.15 REPORTING AND DISCLOSURE INFORMATION**

1. An occupational blood borne pathogen's exposure in and of itself may not be necessarily reportable. However a significant exposure incident is reportable and will result in a reportable work injury (ex: needle stick or laceration) or illness (diagnosed) should also be recorded on OSHA Form 200.

2. In accordance with North Carolina General Statute 130A- 143, all information and records that identify a person who has AIDS virus infection or who has or may have a disease or condition of this directive shall be strictly confidential. This information shall not be released to anyone without prior written approval from the Sheriff and County Manager.

## Montgomery County Sheriff's Office POST EXPOSURE INCIDENT REPORT

TO BE COMPLETED BY THE EXPOSED EMPLOYEE
Employees Name:
Division:
Employee Number:
Additional Information:
Date of Exposure:
Time of Exposure: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.
Supervisor Who Was Notified:
Date Supervisor Notified:
Time Supervisor Notified: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.
List Type of Body Fluid Exposed To:
Check areas of specific exposure: <input type="checkbox"/> Parenteral <input type="checkbox"/> Eye(s) <input type="checkbox"/> Mouth <input type="checkbox"/> Mucous Membrane <input type="checkbox"/> Non-Intact Skin
Give summary of exposure incident, including location, or attach a copy of affidavit filed pursuant to N.C.G.S. § 15A-534.1. Attach additional sheets if necessary:
Name of person whose blood or other body fluids was the source of exposure (if unknown, please state):

EMPLOYEE'S SIGNATURE	DATE

TO BE COMPLETED BY SUPERVISOR
Supervisor's Name:
Date of Notification:
Time of Notification: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.
Was Agency Policy and Procedure followed? <input type="checkbox"/> Yes <input type="checkbox"/> No – State reason for deviation:
Was Personal Protection Equipment (PPE) used? <input type="checkbox"/> Yes <input type="checkbox"/> No – Explain if PPE not used or if PPE failed:
Date Medical Director Notified:
Time Medical Director Notified: <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.
Actions Recommended by Medical Director:

SUPERVISOR'S SIGNATURE	DATE

## MONTGOMERY COUNTY SHERIFF'S OFFICE

### EMPLOYEE ANTIBODY TESTING CONSENT AND AUTHORIZATION TO RELEASE MEDICAL INFORMATION

I, \_\_\_\_\_ an employee of the Montgomery County Sheriff's Office believe that I have been involved in an "Exposure Incident," which means that I have been exposed to blood or other potentially infectious materials in such a manner as to present a risk of transmission of HIV, HVB, and/or HCV.

I understand that, pursuant to law, I am entitled to consult with an on-duty physician for testing, treatment, and/or counseling that may be recommended by such physician or subsequently, by the County of Montgomery.

I understand that, subject to my consent, blood will be collected as soon as feasible and tested for HIV, HBV, and HCV.

Yes       No      I consent to HIV, HBV, and HCV serology testing.

Yes       No      I have received a Hepatitis B vaccination.

I understand that my employing agency, the Montgomery County Sheriff's Office, is required by law to maintain certain medical records and information pertaining to this exposure incident. Such information, required to be maintained, includes, but is not limited to, a copy of all results of examinations, medical testing, and follow-up procedures as required by 29 CFR § 1910.1030 paragraph (f)(3), a copy of my treating physician or health care professional's written opinion, required by paragraph (f)(5), and a copy of the information provided to the health care professional as required by paragraphs (f)(4)(ii)(B)(C) and (D).

In order to effectuate the purpose and intent of federal law, I hereby authorize any treating physician, other health care provider, and/or laboratory to disclose any and all medical testing and laboratory results, diagnosis, treatment, counseling records, or any other necessary, required, or requested pertinent information or records to the Montgomery County Sheriff's Office or County of Montgomery for follow up treatment and record keeping purposes. I understand that this information shall be kept confidential and will not be disclosed or reported, without my express written consent, to any person within or outside the work place except as may be authorized by law.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

## Montgomery County Sheriff's Office

### SUSPECTED SOURCE ANTIBODY TESTING CONSENT AND CONSENT TO RELEASE MEDICAL INFORMATION

I understand I have been involved in what is defined by the Occupational Safety and Health Administration (OSHA) as an "Exposure Incident." An exposure incident occurs when a person comes into contact with another person's blood or other bodily fluid(s) in such a manner that pathogenic microorganisms are capable of being transmitted from one person to the other. These pathogens include, but are not limited to, the HIV, HBV and HCV viruses.

I understand OSHA regulations require post-exposure evaluation follow-up of all employees who have had an exposure incident, which includes a confidential medical evaluation and that my cooperation is essential to the accomplishment of the federal mandate.

I hereby voluntary consent to the following:

\_\_\_\_\_ Drawing my blood by qualified medical personnel, for the purpose of testing for the presence of the HIV, HBV, and/or HCV viruses. The testing and any post-testing counseling shall be performed at no expense to me and the results shall be kept confidential expect that the results may be communicated to the investigating health department official, to the attending physician of the exposed persons(s), the agency's medical services facilitator or their designee and to other such persons as may be required or authorized by law or regulation.

\_\_\_\_\_ Examination, review, and/or obtaining copies of my medical records and/or test results by any representative of the Montgomery County Health Department from any physician, health provider, or any medical facility having custody or control of such records.

\_\_\_\_\_  
Consenting person's printed name

\_\_\_\_\_  
Consenting person's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature and title of person obtaining release

\_\_\_\_\_  
Date

STATE OF NORTH CAROLINA  
COUNTY OF MONTGOMERY

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NUMBER: \_\_\_\_\_

IN THE MATTER OF

**MOTION**

\_\_\_\_\_  
Name

I, \_\_\_\_\_, a sworn member of the Montgomery County Sheriff's Office, hereby moves the Court, pursuant to N.C.G.S. § 15A-534.3, for an Order requiring that the above captioned individual be detained for a reasonable period of time, not to exceed twenty-four (24) hours, for investigation by public health officials and for testing for HIV, HBV, and HCV virus infection and Hepatitis B infection as required by public health officials pursuant to N.C.G.S § 130A-144, N.C.G.S. § 130A-148, and 15A NCAC 19A.0202.

The underlying facts and circumstances establishing the probable cause for this requested action are set out in detail in the attached Affidavit herewith.

WHEREFORE, your movant respectfully moves the Court for the Order above requested.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

Signature of Officer

STATE OF NORTH CAROLINA  
COUNTY OF

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NUMBER \_\_\_\_\_

IN THE MATTER OF

\_\_\_\_\_  
Name

**ORDER**

The Court, having considered the Motion of \_\_\_\_\_,  
the above-captioned matter, and having reviewed the Affidavit attached thereto, hereby issues  
the following Order pursuant to the provisions of Section 15A-534.3 of the North Carolina  
Statutes.

**IT IS NOW, THEREFORE, ORDERED:**

1. That the defendant/source person \_\_\_\_\_  
detained for as long as reasonable necessary, not to exceed twenty-four (24) hours from  
the signing of this Order, to allow for investigation by public health officials and for HIV,  
HBV, HCV, and/or Hepatitis B infection if such testing should be deemed required or  
necessary by public health officials pursuant to N.C.G.S. § 130A-144 and G.S. §130A-  
148;
2. The Director of the County Health Department or any licensed physician authorized to  
act on behalf of said department and who has knowledge of or is served a copy of this  
Order, is hereby directed to immediately conduct an investigation of the exposure  
incident described in the attached Motion and accompanying Affidavit pursuant to the  
provisions of N.C.G.S. § 130A-144 and N.C.G.S. §130A-148 and 15A NCAC 19A.0202 to  
determine whether the circumstances surrounding the exposure and the defendant's  
risk for being a carrier of either Hepatitis B or HIV, HBV, HCV virus are substantiated.
3. The investigation conducted pursuant to this Order shall include, but not to be limited  
to, a review of the Motion and supporting Affidavit attached herewith and an interview  
with the moving party if necessary, to determine whether a needle stick, non intact skin  
or mucous membrane exposure or other exposure to blood or bodily fluids that poses a  
significant risk of HIV, HBV, or HCV transmission has occurred.
4. If necessary or appropriate, the investigating health department official shall interview  
the defendant/source individual named therein and notify his/her attending physician  
or other occupational health care provider that an exposure has occurred.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Judicial Official

STATE OF NORTH CAROLINA  
COUNTY OF MONTGOMERY

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NUMBER \_\_\_\_\_

IN THE MATTER OF:

\_\_\_\_\_  
Name

**ORDER**

The Court having previously ordered that the Director of the Montgomery County Health Department or licensed physician authorized to act on behalf of said department conduct an investigation of the exposure incident alleged to have occurred at \_\_\_\_\_ AM/PM on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, pursuant to the provisions of the NCGS 130A-144, NCGS 130A-148 and 15A NCAC 19A.0202 and having considered all available evidence to include the Affidavit of the moving party and the investigative report of \_\_\_\_\_, who is the investigating health official;

The Court finds that there is probable cause to believe that a law enforcement officer or other individual who was exposed to the above named defendant / source person in a manner that poses a significant risk of transmission of the AIDS virus, HIV virus or Hepatitis viruses by such defendant / source person;

**IT IS THEREFORE ORDERED:**

1. That \_\_\_\_\_ the defendant / source person named herein, submit to withdrawal of sufficient quantity of his/her blood by qualified medical personnel so that his/her blood can be tested for the presence of the HIV, HBV and HCV virus.
2. That the Sheriff of Montgomery County or any other law enforcement officer with territorial jurisdiction is commanded to transport the above named defendant / source person to an appropriate medical facility, if necessary for the purpose of withdrawing blood.
3. In accordance with this Order the Sheriff or other law enforcement personnel are authorized to use whatever force is reasonably necessary to secure compliance with and execution of this Order.

4. Any qualified medical personnel withdrawing the defendant/source person's blood pursuant to this Order shall do so with or without the consent of the person and if necessary, shall do so through the process of physical restraint.
  
5. The results of the defendant/source person's blood test to the extent it reveals the presence or absence of the HIV, HBV or HCV virus shall be communicated to the Director of the Montgomery County Health Department who shall forthwith communicate said results to the Montgomery County Human Resource Director and to the health services facilitator appointed by the County of Montgomery who will coordinate the communication of such results either directly to the exposed individual or his/her treating physician.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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Judicial Official