

DHHS POLICIES AND PROCEDURES

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| Section V: | Human Resources |
| Title: | Safety and Benefits |
| Chapter: | Acquired Immune Deficiency Syndrome (AIDS) |
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Purpose

The purpose is to establish department policy on Acquired Immune Deficiency Syndrome (AIDS) and Bloodborne Pathogens which may pose a concern to employees within the workplace. It is further the intent of this policy to ensure that recommended practices to protect against occupational exposure to these diseases are in place.

Policy

It is the policy of the department to provide a work environment to protect the health and well being of all of its employees. To this end, the department will provide all employees with education and training in safe work practices and procedures according to their risk of exposure. The department will ensure that employees who are exposed to or have HIV/AIDS infection are treated in a confidential, fair and lawful manner. The department shall provide safe work practices and protection according to standards established by the Occupational Safety and Health Administration and Center for Disease Control to protect against occupational exposures.

Implementation

1. Education and Training
 - A. The department shall develop and implement an educational and training program for all employees. This program shall be in compliance with the State Personnel Manual.
 - B. The training curriculum shall follow standards as recommended by the Center for Disease Control (CDC) and Occupational Safety and Health Administration (OSHA) requirements for the control of bloodborne disease.
 - C. Each division/facility/school is responsible for employee training as outlined in the department's training requirements for Bloodborne Pathogens Education.

2. Anti-Discrimination. The department shall not discriminate against any applicant or employee who has or is suspected of having AIDS or HIV infection. An employee with AIDS or HIV infection may continue working as long as the employee is able to satisfactorily perform the duties of the job and there is no medical evidence indicating that the employee's condition is a health threat to co-workers, client/patients, or the public.

3. Complaints and Discipline. The department acknowledges that employees with AIDS or HIV infection as well as their co-workers, patient/clients and the public may have concerns for their own health and safety. Managers and supervisors are to pursue all appropriate actions to respond to such concerns. Each division/facility/school shall make available counseling by a qualified professional for any employee who fears that a serious health risk is created by the presence of a co-worker or patient/client who has AIDS or HIV infection.

4. Testing and Examination. Medical tests and/or examinations to determine the presence of HIV or HIV associated conditions are prohibited except as authorized by state and federal law or required by the rules of the Commission for Health Services. An employee who suspects they have had a blood or body fluid exposure to the HIV virus while on the job may request to be tested for HIV infection at department expense, provided that the suspected exposure poses a significant risk of transmission of HIV as defined in the rules of the Commission for Health Services. Each division/facility/school shall strictly adhere to existing confidentiality rules and laws regarding employees with HIV and HIV associated conditions.

5. Requirements for the Prevention of Occupational Exposure to the HIV Virus and Other Bloodborne Pathogens. The department shall adhere to the program standards for the control of potential exposure to the HIV virus and other Bloodborne Pathogens as outlined in the OSHA Rule [Occupational Exposure to Bloodborne Pathogens](#) Standard 1910.1030 or most current standards available.

6. Responsibilities
 - A. The division/facility/school director shall ensure that all work practice standards as outlined in the [OSHA rule 1910.1030](#) or most current standards are in place and that all training requirements are met.

 - B. The department's Employee Safety and Benefits Section shall provide each division/facility/school a copy of the Department's Training Requirements for Bloodborne Pathogen Education.

- C. The division/facility/school Infection Control Officer and/or Safety and Health Director shall ensure that safe work standards and practices are in place and are followed.

For questions or clarification on any of the information contained in this policy, please contact [Human Resources](#). For general questions about department-wide policies and procedures, contact the [DHHS Policy Coordinator](#).