

25 NCAC 01N .0305 TESTING AND EXAMINATION

Medical tests and 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 Public Health (see 15A NCAC 19A, Section .0200). An employee who suspects that, having had a nonsexual blood or body fluid exposure to the HIV virus while on the job, may voluntarily elect to be tested for the HIV infection, provided that the suspected exposure poses a significant risk of transmission of HIV as defined in the rules of the Commission for Public Health. The employer will pay for the cost of test(s) for the exposed employee, providing the employee consents to the testing agency selected by the employee. Some employees may prefer to pay for their own test through a personal or family physician, or use the free testing services of a Public Health Department. An employee choosing to have the test made by someone other than the testing agency selected by the employer must bear the cost of the test himself.

*History Note: Authority G.S. 126-4;
Eff. November 1, 1990;
Recodified from 25 NCAC 01L .0205 Eff. December 29, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*