



"What You Need To Know About Missouri Laws On HIV"

If you are HIV positive, the following applies according to Missouri law HB1756, RSMo 191.677:

1. It is your responsibility to alter your behavior so that you do not expose other people to HIV. Criminal charges could be filed against you if you know you carry the HIV virus and you create a risk of infecting another person (for example, your partner) with the virus through sex, needle sharing, biting, or other established means of transmitting the virus.
2. Criminal charges could be filed against you if you know you carry the HIV virus and you attempt to or actually donate blood, organs, sperm, or body tissue unless they are necessary for medical research.

Violation of this law is considered a Class B Felony, punishable by five (5) to fifteen (15) years in prison. If the other person contracts HIV, it is considered a Class A Felony, punishable by ten (10) to thirty (30) years or life imprisonment. The use of condoms is not a defense to this violation.

3. You must report the fact that you carry the HIV virus to any health care provider before receiving services. This means any private or emergency doctor, dentist, ambulance attendant, etc. If you seek services without your doctor's knowledge, you must be the one to notify the health care worker you are HIV positive. This would include health screenings, walk in clinics, public health services or clinics, employee health care while at work, etc.
4. If you have a child who is less than 18 years of age and he/she is HIV positive, you should assume the responsibility to notify health care providers the same as you would for yourself.

My signature on the Client Signature Form indicates that I have met with my case manager and was advised, both verbally and in writing, of the necessary precautions to prevent the transmission of the HIV virus to others. I understand the safety measures, laws, and penalties that have been explained to me and realize that violation of these laws is punishable by a fine and/or imprisonment.

To report abuse, neglect, or exploitation you may call the Department of Health and Senior Services at 1-800-392-2161.
 To file a complaint with the State Medicaid Agency, you may call the MOHealthNet Division, Recipient Services at 1-800-392-0230.

www.dhss.mo.gov

Healthy Missourians for life.

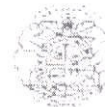
The Missouri Department of Health and Senior Services will be the leader in promoting, protecting and partnering for health.

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER: Services provided on a nondiscriminatory basis.

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 RELAY MISSOURI for Hearing and Speech Impaired 1-800-735-2968 VOICE 1-800-735-2468
Julia M. Eckstein
 Director



Matt Blunt
 Governor

"What You Need To Know"

If you are HIV positive, the following applies according to Missouri law RSMo 191.677:

- It is your responsibility to alter your behavior so that you do not expose other people to the HIV virus. Criminal charges could be filed against you if you know you carry the HIV virus and you create a risk of infecting another person (for example: your partner) with the virus through sex, needle sharing, biting or other established means of transmitting the virus.
- Criminal charges could be filed against you if you know you carry the HIV virus and you attempt or actually donate blood, organs, sperm, or body tissue-unless necessary for medical research.

Violation is considered a Class B Felony, punishable by five to fifteen years in prison or if the other person contracts HIV, a Class A Felony, punishable by ten to thirty years or life imprisonment. The use of condoms is not a defense to this violation.

Other important items:

- You should report the fact that you carry the HIV virus to any health care provider before receiving services. This means any private or emergency doctor, dentist, ambulance attendant, etc. If you seek services without your doctor's knowledge, you must be the one to notify the health care worker you are HIV positive. This would include health screenings, walk in clinics, public health services or clinics, employee health care while at work, etc.
- If you have a child who is less than 18 years of age and he/she is HIV positive, you should assume the responsibility to notify health care providers the same as you would for yourself.

To report abuse, neglect, and exploitation you may call the DHSS, Division of Aging 1-800-392-0161. To file a complaint with the State Medicaid Agency, you may call the Division of Medical Services, Recipient Services unit 1-800-392-0210.

I have met with my case manager and was advised, both verbally and in writing, of the necessary precautions to prevent the transmission of the HIV virus to others. I understand the safety measures, laws, and penalties that have been explained to me and realize that violation of these laws is punishable by a fine and/or imprisonment.

Client Signature _____
 Date _____

Case Manager Signature _____
 Date _____

(Revised 3/05)

The Missouri Department of Health and Senior Services protects and promotes quality of life and health for all Missourians by developing and implementing programs and systems that provide: information and education, effective regulation and oversight, quality services, and surveillance of diseases and conditions.

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