

**§ 148-19.2. Mandatory HIV testing.**

Each person sentenced to imprisonment and committed to the custody of the Division of Prisons of the Department of Adult Correction shall be tested to determine whether the person is HIV positive.

Each inmate who has not previously tested positive for HIV shall also be tested:

- (1) Not less than once every four years from the date of that inmate's initial testing.
- (2) Prior to the inmate's release from the custody of the Division of Prisons, except that testing is not mandatory prior to the release of an inmate who has been tested within one year of the inmate's release date.

In each case, the results of the test shall be reported to the inmate. If an inmate tests positive for HIV, that inmate shall be referred to public health officials for counseling. (2013-360, s. 16C.15(a); 2017-186, s. 2(kkkkkkk); 2021-180, s. 19C.9(p), (q).)