

Testing Order for Hepatitis B, Hepatitis C or HIV

Exposure to Hepatitis B, Hepatitis C or HIV

If you are concerned that you have been exposed to Hepatitis B, Hepatitis C, or Human Immunodeficiency Virus (HIV), you should go immediately to your nearest emergency department to have a risk assessment performed by a health professional.

Quick assessment is important to ensure that, if required, Hepatitis B Virus and/or HIV post-exposure prophylaxis is started as soon as possible. There is no evidence to support post-exposure prophylaxis for hepatitis C virus (HCV), however, chronic Hepatitis C infection may be prevented or cured with antiviral therapy. Post-exposure prophylaxis is treatment after an individual has been exposed to a disease. For more information, see [HealthLinkBC File #97 Contact with Blood and Body Fluids: Protecting Against Infection](#).

To find your nearest emergency department, search the [FIND Services and Resources Directory](#) or call **8-1-1** any time of the day or night, any day of the week.

Emergency Intervention Disclosure Act

The following information about the [Emergency Intervention Disclosure Act](#) is provided for information purposes and guidance only. If there is a conflict between this website and the *Emergency Intervention Disclosure Act* or the [Emergency Intervention Disclosure Regulation](#), the Act and Regulation prevail.

The *Emergency Intervention Disclosure Act* permits individuals, to apply to the court for an order (Testing Order) to have another person tested for Hepatitis B, Hepatitis C or HIV if they have come into contact with a person's bodily substance in any of the following circumstances:

- While providing emergency health services.
- While performing their duties as a fire fighter, emergency medical assistant or police or other peace officer.
- When they have reason to believe that they have been the victim of an alleged offence under the Criminal Code (Canada) and have reported the matter to a law enforcement agency.

The purpose of the Testing Order is to provide information to the exposed individual about the test results of the source individual, which may assist the exposed individual and their physician in managing the possible consequences of the exposure. There are strict timelines to the Testing Order process, please review the information below and [Frequently Asked Questions](#) section for additional information.

Overview of the Testing Order Process

- The exposed individual determines they are eligible to apply for a Testing Order under the *Emergency Intervention Disclosure Act*, and requests the source individual to be tested.

- If the source individual does not get tested voluntarily, the exposed individual can pursue a Testing Order through the Provincial Court. This process begins with providing the source individual with a [Notice of Intention Form](#). This notifies the source individual of the exposed individual's intention to apply to the court for a Testing Order.
- If the source individual still does not consent to be voluntarily tested **within 3 days** of receiving the Notice, the exposed individual then may submit an [Application to Obtain a Testing Order](#) to the Provincial Court. The Application must include a completed [Physician's Report](#) and be made **within 30 days** following the contact with the source individual's blood or other bodily substance.
- The Provincial Court will hear the matter and may issue a [Testing Order](#) to the source individual if the criteria in the Act and Regulation are met.
- The source individual attends a specified health facility to have a blood sample taken, which is sent to the BC Centre for Disease Control for testing. Here is a list of [Public Laboratory and Sample Collection Sites](#).
- The test results are sent to both the exposed and source individual's physicians.
- Fines may be imposed on persons convicted of not complying with a Testing Order or of violating the confidentiality provisions of the *Emergency Intervention Disclosure Act*.
- You can serve a notification or a document yourself or have someone else, such as a friend or a professional process server, do it for you. After the notification or document has been served, an [Affidavit of Personal Service](#) must be completed, signed and filed with the [Provincial Court registry office](#) to prove to the court that the documents were served on the other party.

Forms

Click on the links below to access the forms you may need for the Testing Order process under the *Emergency Intervention Disclosure Act*:

- [Affidavit of Personal Service](#)
- [Application to Obtain a Testing Order](#)
- [Notice of Intention Form](#)
- [Physician's Report](#)
- [Testing Order](#)

Frequently Asked Questions

For answers to frequently asked questions about Testing Orders, the *Emergency Intervention Disclosure Act*, and more, click on the link below.

- [Frequently Asked Questions about Testing Orders for Hepatitis B, Hepatitis C or HIV](#)

For More Information

For information about Hepatitis B, Hepatitis C or HIV, including information about preventing transmission, click on the links below:

Hepatitis B

- [Hepatitis B Immune Globulin \(HealthLinkBC File #25b\)](#)
- [Hepatitis B Vaccine \(HealthLinkBC File #25a\)](#)
- [Hepatitis B Virus Tests](#)
- [Living Well with Hepatitis B Virus Infection \(HealthLinkBC File #40d\)](#)

Hepatitis C

- [Hepatitis C Virus Infection \(HealthLinkBC File #40a\)](#)
- [Hepatitis C Virus Tests](#)
- [Living Well with Hepatitis C Virus Infection \(HealthLinkBC File #40b\)](#)

HIV

- [HIV and HIV Tests \(HealthLinkBC File #08m\)](#)
- [HIV \(Human Immunodeficiency Virus\) Infection](#)

Preventing Transmission

- [Blood and Bodily Fluid Precautions](#)
- [Contact with Blood or Body Fluids: Protecting Against Infection \(HealthLinkBC File #97\)](#)
- [WorkSafeBC – Controlling Exposure: Protecting Workers from Infectious Disease](#)

Last Reviewed: June 2016