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IN THE DISTRICT COURT OF _____ COUNTY, KANSAS

IN THE MATTER OF

Name _____, Juvenile Case No. _____
Year of Birth _____ A [] male [] female

ORDER FOR INFECTIOUS DISEASE TESTS

Pursuant to K.S.A. 38-2317

Now, on this ____ day of _____, _____, the Court considers a request for infectious disease tests of the juvenile named above.

THE COURT FINDS:

[] The [] alleged victim [] parent or legal guardian of the alleged minor victim of the offense charged herein has requested the Court order infectious disease tests of the alleged offender. The offense charged in this matter involved a sexual act or may have involved the transmission of body fluids from one person to another. The juvenile named above shall submit to infectious disease tests as defined in K.S.A. 65-6001. [] The juvenile shall be ordered to pay the costs of testing and counseling provided pursuant to K.S.A. 38-2317, if adjudicated herein.

or

[] The juvenile named above stated to law enforcement officers that the juvenile named above has an infectious disease, or used words of like effect. The juvenile named above shall submit to infectious disease tests as defined in K.S.A. 65-6001. [] The juvenile shall be ordered to pay the costs of testing and counseling provided pursuant to K.S.A. 38-2317, if adjudicated herein.

or

[] The juvenile offender named above has been adjudicated herein and committed an offense that involved or was likely to have involved the transmission of body fluids from one person to another, or involved a sexual act. (Permissive order) The juvenile offender shall submit to a test for [] HIV [] hepatitis B. [] The juvenile is ordered to pay the costs of testing and counseling provided pursuant to K.S.A. 38-2317.

or

[] The juvenile offender named above has been adjudicated herein and the [] alleged victim [] parent or legal guardian of the alleged minor victim of the offense has requested the Court to order infectious disease tests of the juvenile offender. The offense charged in this matter involved a sexual act or involved the transmission of body fluids from one person to another. The juvenile offender shall submit to a test for [] HIV [] hepatitis B. [] The juvenile is ordered to pay the costs of testing and counseling provided pursuant to K.S.A. 38-2317.

or

The juvenile has previously submitted to testing by order of this Court, the test results were negative, and six months have passed since the first test was administered. The juvenile named above shall undergo retesting for **HIV** **hepatitis B**. The juvenile shall be ordered to pay the costs of testing and counseling provided pursuant to K.S.A. 38-2317, if adjudicated herein.

The alleged victim **the parent or legal guardian of the alleged minor victim** has designated the following health care provider or counselor to receive information on behalf of the alleged victim: _____ . The following health care provider is directed to perform the testing ordered by this Court:

_____.

IT IS SO ORDERED this _____ day of _____, _____.

Judge of the District Court

Authority

K.S.A. 38-2317(c) and (d).

Notes on Use

The court must order testing if the juvenile stated to law enforcement officers that such juvenile has an infectious disease, or used words of like effect, or if testing is requested by the victim, or by the victim's parent if the victim is a minor. The court may order testing of an adjudicated juvenile offender if the court determines the case involved, or was likely to have involved, the transmission of body fluids from one person to another or involved a sexual act. The victim shall designate a health care provider or counselor to receive information on behalf of the victim. If the victim is a minor, the parent or legal guardian shall designate the health care provider or counselor. Retesting shall be ordered six months after the first test if the first test results are negative. If the juvenile is adjudicated, the court shall order the offender to reimburse the provider of services for the costs of counseling and testing. K.S.A. 38-2317(c) and K.S.A. 38-2317(d). The tests contemplated by the statute are HIV and hepatitis B.