

HOUSE BILL REPORT

HB 2413

As Reported By House Committee On:

Health Care

Title: An act relating to disclosure of sexually transmitted disease information.

Brief Description: Disclosing sexually transmitted disease information.

Sponsors: Representatives Pennington, Carlson, Ogden, Thompson, Dunn and Backlund.

Brief History:

Committee Activity:

Health Care: 1/20/98, 1/29/98 [DPS].

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Dyer, Chairman; Backlund, Vice Chairman; Skinner, Vice Chairman; Cody, Ranking Minority Member; Murray, Assistant Ranking Minority Member; Anderson; Conway; Parlette; Sherstad; Wood and Zellinsky.

Staff: Bill Hagens (786-7131).

Background: In general, it is unlawful to disclose or be compelled to disclose the identity of any person who has investigated, considered, or requested a test or treatment for HIV; however, exceptions are afforded legal representatives, health care facilities and providers, public health officers, persons allowed access by a court order, persons who, because of their behavioral interaction with the infected individual, have been placed at risk, law enforcement officers, fire fighters, corrections and jail staff, claims management personnel, child welfare staff, and guardians ad litem.

Law enforcement officers, fire fighters, and other persons at risk of substantial exposure to HIV are permitted by law to request a public health officer to order HIV testing for the person whose bodily fluids he or she has been exposed to and to receive the test results.

State law grants good samaritans who provide emergency assistance or transportation at a scene of an emergency without compensation certain immunity from liability. However, a good samaritan cannot request an HIV test nor receive such result.

Such emergency assistance may involve mouth to mouth resuscitation or other emergency medical procedures that could result in the exchange of bodily fluids exposing the good samaritan to HIV.

Summary of Substitute Bill: A good samaritan may request counseling and testing of a person whose bodily fluids he or she has been exposed to and receive the test results.

Substitute Bill Compared to Original Bill: Non-substantive corrections are made.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: These provisions are necessary to protect citizens who are willing to provide emergency assistance.

Testimony Against: None

Testified: Representative Pennington, prime sponsor; Mariella Cummings, Department of Health; and Richard L. Curtis, city of Vancouver Fire Department.