

# SENATE BILL REPORT

## SHB 2413

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As Reported By Senate Committee On:  
Health & Long-Term Care, February 26, 1998

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

**Brief Description:** Disclosing sexually transmitted disease information.

**Sponsors:** House Committee on Health Care (originally sponsored by Representatives Pennington, Carlson, Ogden, Thompson, Dunn and Backlund).

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 2/19/98, 2/26/98 [DP].

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Majority Report:** Do pass.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton, Franklin and Strannigan.

**Staff:** Jonathan Seib (786-7427)

**Background:** With some exceptions, it is unlawful to disclose the identity of any person who has investigated, considered, or requested a test or treatment for HIV. Among others, exceptions are afforded law enforcement officers and fire fighters.

Law enforcement officers, fire fighters, and other persons at risk of substantial exposure to HIV are also 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.

**Summary of Bill:** A good Samaritan may request testing for HIV status of a person whose bodily fluids he or she has been exposed to and receive the test results. The good Samaritan may also receive counseling.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** 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. Good Samaritans will be treated the same as others who, in a professional capacity, provide such assistance.

**Testimony Against:** Despite the justified concerns of good Samaritans who may have been substantially exposed to the bodily fluids of the individual they aided, an HIV test following exposure will provide very little concrete information or true peace of mind. The bill would do little to determine whether or not a good Samaritan had been exposed to HIV, and would serve only to violate the confidentiality of the victim.

**Testified:** PRO: Representative Pennington, prime sponsor; John Peppert, Department of Health; Richard Curtis, City of Vancouver Fire Department; CON: Steven Johnson, NW AIDS Foundation.