

ANALYSIS OF HOUSE BILL 1080

Providing infectious disease testing for good samaritans.

SPONSORS: Representative Carlson and Ogden.

BACKGROUND: Current law [RCW 4.24.300] grants a person (commonly referred to as a "good samaritan" who provides emergency assistance or transportation without compensation certain immunity from liability.

Proponents of this measure believe that such emergency assistance frequently involves mouth-to-mouth resuscitation or other emergency medical procedures that could result in the exchange of bodily fluids exposing the good samaritan to serious infectious diseases (e.g., hepatitis, tuberculosis, and human immunodeficiency virus (HIV)). Further, that a number of good samaritans may be unable to pay for the testing necessary for detecting infectious diseases.

SUMMARY: A good samaritan who comes in contact with bodily fluids while rendering emergency assistance is permitted to have infectious disease testing provided by a local public health department free of charge, if her or his health insurance does not cover such test. The Department of Health must adopt rules to implement these provisions.