

HOUSE BILL REPORT

HB 1080

As Passed Legislature

Title: An act relating to providing infectious disease testing for good samaritans.

Brief Description: Providing infectious disease testing for good samaritans.

Sponsors: Representatives Carlson, Ogden, Pennington, Dunn, Tokuda, Stensen, O'Brien, Morris, Conway, Lambert, Lantz, Wood, Rockefeller, Parlette, Esser and Lovick.

Brief History:

Committee Activity:

Health Care: 1/28/99, 2/9/99 [DP].

Floor Activity:

Passed House: 2/24/99, 95-0.

Senate Amended.

Passed Senate: 4/12/99, 46-0.

House Concurred.

Passed Legislature.

Brief Summary of Bill

- Permits uninsured persons who come in contact with bodily fluids while rendering emergency assistance to have free infectious disease testing.
- Expands protections against inappropriate release of confidential health information.

HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 12 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Schual-Berke, Democratic Vice Chair; Alexander; Boldt; Campbell; Conway; Edmonds; Edwards; Mulliken and Ruderman.

Staff: Bill Hagens (786-7131).

Background:

Rendering emergency medical treatment resulting in exchange of bodily fluid increases a person's exposure to deadly infectious diseases like hepatitis and human immunodeficiency virus. Persons rendering emergency care or transportation as volunteers are known as "good Samaritans" and are described in statute. As volunteers, good Samaritans may not be able to pay for disease testing when exposed to bodily fluids.

Across the state local health departments are contemplating changing their procedures to mandate physicians to report the name of any patient who tests HIV positive to the local health department. This action has been encouraged by federal health agencies.. Driving the change is the success of drug therapies in treating AIDS. Earlier intervention is now important because of the life prolonging impact of drug therapies.

Confidentiality issues have arisen about personally identifying information being obtained by government agencies, particularly in the case of AIDS or HIV status.

Summary of Bill:

If a good Samaritan has been exposed to bodily fluids while rendering emergency care and has no insurance to cover disease testing, the local health department must provide free testing. No other services are required.

The Department of Health must report to the State Board of Health unauthorized disclosures of confidential information obtained through disease reporting. The report must include recommendations for prevention and improvement of the privacy systems in place. The department must assist health care providers and others to understand the rules on confidentiality.

The monetary penalties for violations of confidentiality are increased to \$10,000 for intentional or reckless violations. It is a misdemeanor for a local board of health member to violate the confidentiality provisions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Offering emergency assistance may result in the exchange of bodily fluids exposing the good samaritan to serious infectious diseases. Persons providing such an important public service should have access to the necessary testing regardless of ability to pay.

Testimony Against: None.

Testified: Representative Carlson, prime sponsor; (Pro w/suggestion) Jackie Der, University of Washington, Harborview.