

SENATE BILL REPORT

HB 1454

As Reported by Senate Committee On:
Health & Long-Term Care, March 10, 2011

Title: An act relating to testing for bloodborne pathogens.

Brief Description: Regarding testing for bloodborne pathogens.

Sponsors: Representatives Van De Wege, Hinkle, Green, Jinkins, Cody, Takko, Hurst, Liias, Hope, Stanford and Overstreet.

Brief History: Passed House: 2/14/11, 93-0.

Committee Activity: Health & Long-Term Care: 3/09/11, 3/10/11 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker, Ranking Minority Member; Carrell, Murray and Pridemore.

Staff: Rhoda Donkin (786-7465)

Background: Certain workers are considered at-risk of being exposed to another person's bodily fluids in the course of their employment. The state Board of Health has determined that these workers include law enforcement officers, firefighters, health care providers, health care facility staff, department of corrections and jail staff, and others. These workers may request that a person they have been exposed to in the course of their employment be tested for HIV. If this request is denied, the exposed employee may petition the superior court to determine if the risk was substantial enough to warrant the test. If the test is granted, the person being tested may also petition the superior court under the same standard to have the request for testing denied.

Summary of Bill: At-risk employees who are eligible to request an order for HIV testing on a person to whose bodily fluids the worker has been exposed, may also request a state or local health official to order testing for bloodborne pathogens. Court orders for the mandatory testing of an individual for HIV may also include additional testing for other bloodborne pathogens. The exception to privacy laws regarding the disclosure of information related to HIV for at-risk employees also applies to the disclosure of test results for bloodborne pathogens.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The current program for testing at-risk workers for source blood HIV has worked very well. We face a bigger concern now with exposure to Hepatitis C, especially health care workers who sustain needle pricks. We want to be able to know if we've been exposed, because it takes a long time to show symptoms.

Persons Testifying: PRO: Representative Van De Wege, prime sponsor; David Harrowe, Tacoma Pierce County Health Dept.; Sharon Ness, WFCW WA State Council.