

FINAL BILL REPORT

SSB 5728

C 60 L 16
Synopsis as Enacted

Brief Description: Concerning screening for HIV infection.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Darneille, Rivers, Rolfes, Ranker, Keiser, Parlette, Hasegawa, Chase and Jayapal).

Senate Committee on Health Care
Senate Committee on Ways & Means
House Committee on Health Care & Wellness

Background: State law provides the circumstances under which a person may undergo HIV testing without consent. Exemptions to this prohibition are listed in state law and include situations involving incarcerated persons, persons participating in seroprevalence studies, persons receiving workers' compensation benefits, and persons who have been ruled not competent to make their own health care conditions.

In 2006 the Centers for Disease Control and Prevention (CDC) released guidelines recommending that every patient between the ages of 13 and 64 be offered an HIV test on an opt-out basis in all health care settings, without the requirements of written consent or prevention counseling. According to the CDC recommendations, health care providers offering HIV tests must provide patients information about the test, ask if they have any questions, and inform them that they have the right to opt out of the test. The CDC released these guidelines in order to address the public health challenge that HIV poses because many people who have HIV are unaware of their status and unknowingly infect others.

Summary: Screening for HIV infection must be offered by clinicians consistent with the United States Preventative Services Task Force recommendations for all patients aged 15-65 and for all pregnant women. The health care provider must notify the patient that an HIV screening will be performed unless the patient declines. If the patient declines the HIV screening, the health care provider may not use the fact that the patient declined the screening as a basis for denying services or treatment to the patient.

Votes on Final Passage:

Senate	47	2	
House	68	29	(House amended)
Senate	46	2	(Senate concurred)

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.

Effective: June 9, 2016