

SB 1507A Testimony
February 15, 2012
To: House Committee on Health Care
From: Christina Baumann, MD

Dear Chair Greenlick, Chair Thompson and Members of the Committee,

I am writing in support of SB 1507. This measure presents an opportunity to make an important change to the current HIV testing policy in Oregon.

As a primary care physician, Preventive Medicine resident, and student of public health, I am concerned about the disparity between the public health need to increase routine voluntary HIV testing and what is feasible in clinical practice. Current Oregon law requiring a separate medical informed consent prior to screening for HIV is a barrier to improving HIV testing rates, diagnosing HIV infections at an early stage, and preventing new infections.

To put this issue in perspective, testing for other serious infectious diseases (such as hepatitis C, syphilis, and tuberculosis) or screening for serious medical conditions (such as diabetes or cancer) does not require a special medical informed consent. Generally, the informed consent process is applicable in situations when there is significant risk or questionable benefit to the patient. The requirement to conduct a separate informed consent prior to HIV testing originates from laws initially created 25 years ago, and since then there have been dramatic improvements to testing and treatment. Today, early identification and treatment of HIV infection significantly improves patients' morbidity and mortality, as well as decreases the transmission of the virus to others.

From a primary care provider's standpoint, consider the long list of recommended preventive services that should be addressed in a clinic visit in addition to a patient's presenting complaint: screening for diabetes, cholesterol, depression, alcohol misuse, tobacco cessation counseling, vaccinations ... Knowing that I must conduct a separate informed consent with a patient prior to testing for HIV, I would put that lower on my list of priorities because of the limited time that I have. The end result being that my patient is less likely to get an HIV test. To encourage routine testing, HIV testing policy must allow for a simpler, more streamlined process.

SB 1507 will remove the requirement for a separate medical informed consent prior to testing for HIV. It instead requires that a person be notified if he or she may be tested and be given the opportunity to decline. This measure leaves intact the important privacy and confidentiality protections, and it ensures that testing remains a voluntary choice. It will decrease barriers to testing and make it easier for providers to deliver necessary preventive care.

It is my hope that SB 1507 receives your support. Thank you for the opportunity to provide my testimony.

Sincerely,

Christina I. Baumann, MD