

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bates, Kruse, Morse, Shields, Monnes Anderson
Nays:	0
Exc.:	0
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	2/3, 2/6

WHAT THE MEASURE DOES: Removes requirement that person subjected to HIV test give specific informed consent to test. Replaces “person” with “health care provider” or provider’s designee. Requires that person be notified of test and be given opportunity to decline test. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Current barriers to HIV testing
- Current consent process for other blood borne pathogens (Hepatitis B and C)
- Concerns relating to maintaining HIV testing as voluntary
- American Civil Liberties Union (ACLU) concerns relating to how HIV testing is “unique”

EFFECT OF COMMITTEE AMENDMENT: Replaces “person” with “health care provider” or provider’s designee.

BACKGROUND: Currently, Oregon law requires a separate informed consent to test for HIV, which the Center for Disease Control (CDC) asserts has been shown to be a barrier to screening and is contrary to the standard of care. Proponents assert that with the current HIV testing policy, there has been a lack of progress in preventing new HIV infections. In addition, they state that to stop the HIV epidemic, voluntary testing must be easier to conduct and more accessible for patients.