

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

18-334.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "HIV" MEANS THE HUMAN IMMUNODEFICIENCY VIRUS THAT CAUSES ACQUIRED IMMUNE DEFICIENCY SYNDROME.

(3) "INSTITUTION" MEANS:

(I) AN AMBULATORY SURGICAL FACILITY OR CENTER, AS DEFINED IN § 19-101 OF THIS ARTICLE;

(II) A HEALTH MAINTENANCE ORGANIZATION, AS DEFINED IN § 19-701 OF THIS ARTICLE;

(III) A HOSPITAL OR RELATED INSTITUTION, AS DEFINED IN § 19-301 OF THIS ARTICLE;

(IV) A TISSUE BANK; OR

(V) THE OFFICE OF 1 OR MORE PHYSICIANS.

(4) "LABORATORY" MEANS A PUBLIC LABORATORY, MEDICAL LABORATORY, OR MEDICAL TEST UNIT AS THOSE TERMS ARE DEFINED IN TITLE 17 OF THIS ARTICLE.

(5) "PHYSICIAN" MEANS A PERSON LICENSED TO PRACTICE UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE.

(6) (I) "TISSUE BANK" MEANS AN ESTABLISHMENT THAT OBTAINS, STORES, PROCESSES, DISTRIBUTES, OR SELLS HUMAN BLOOD OR OTHER HUMAN TISSUE FOR USE IN THE HUMAN BODY.

(II) "TISSUE BANK" INCLUDES A BLOOD BANK OR SPERM BANK.

(B) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPH (2) OF THIS SUBSECTION, AN INSTITUTION THAT OBTAINS OR PROCESSES SPERM SEMEN, BLOOD, OR TISSUE SHALL SEND THE SPERM SPECIMEN TO A LABORATORY APPROVED BY THE DEPARTMENT TO TEST FOR HIV. OBTAIN AND SEND A BLOOD SAMPLE FROM EACH POTENTIAL DONOR OF SEMEN, BLOOD, OR TISSUE TO A LABORATORY APPROVED BY THE DEPARTMENT TO TEST FOR HIV ANTIBODIES.

(2) BEFORE OBTAINING A BLOOD SAMPLE FROM A POTENTIAL SEMEN, BLOOD, OR TISSUE DONOR THE INSTITUTION SHALL: