

WILLIAM DONALD SCHAEFER, Governor

WHEREAS, ~~The current law on notification of fire-fighters, emergency-medical-technicians, rescue-squadmen, law-enforcement officers, or correctional-officers does not provide adequate protection to those persons who may have been exposed to the HIV virus;~~ now, therefore,

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

Article - Health - General

18-335.

(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) "HEALTH CARE PROVIDER" MEANS A PERSON ~~LICENSED OR CERTIFIED UNDER THE HEALTH OCCUPATIONS ARTICLE~~ PHYSICIAN, NURSE, OR DESIGNEE OF A HEALTH CARE FACILITY.

(B) BEFORE OBTAINING A BLOOD SAMPLE FROM AN INDIVIDUAL FOR THE PURPOSE OF TESTING THE BLOOD FOR THE PRESENCE OF HIV INFECTION, A HEALTH CARE PROVIDER SHALL:

(1) ~~INFORM THE INDIVIDUAL, IN LAYMAN'S TERMS:~~

~~(i) THAT THE INDIVIDUAL'S AUTHORIZATION IS NECESSARY FOR TESTING;~~

~~(ii) THAT A BLOOD SAMPLE OF THE INDIVIDUAL WILL BE TESTED FOR HIV INFECTION;~~

~~(iii) WHETHER THE RESULTS OF THE TEST MAY BECOME A PERMANENT PART OF THE INDIVIDUAL'S MEDICAL RECORD;~~

~~(iv) WHETHER INSURANCE COMPANIES MAY HAVE ACCESS TO THIS INFORMATION;~~

~~(v) THAT IF THE INDIVIDUAL IS FOUND TO TEST POSITIVE FOR THE HIV INFECTION, THE RESULTS WILL BE DISCLOSED TO THE INDIVIDUAL FROM WHOM THE BLOOD WAS OBTAINED;~~

~~(vi) THAT AGGREGATE RESULTS OF TESTS FOR EVIDENCE OF HIV ARE REPORTED TO THE DEPARTMENT BY MEDICAL LABORATORIES IN MARYLAND; AND~~

~~(vii) THE EXTENT TO WHICH RESULTS OF TESTS WILL BE TREATED AS CONFIDENTIAL MEDICAL INFORMATION;~~