

(ii) Information about a physician's duty to warn; and

(iii) Assistance in accessing health care available to an individual who tests positive for the HIV infection.

(c) Refusal to consent to the HIV antibody test or a positive test result may not be used as the sole basis by an institution or laboratory to deny services or treatment.

(d) If the individual is unable to give informed consent, substitute consent may be given under § 5-605 of this article.

(e) A physician or physician's designee who obtains a positive result from an HIV antibody test conducted in accordance with the provisions of subsection (b) of this section shall:

(1) Notify the individual from whom the [blood] FLUID OR TISSUE sample was obtained of the positive result;

(2) Provide the individual with a copy of the Department's publication describing available counseling services;

(3) Counsel the individual to inform all sexual and needle-sharing partners of the individual's positive HIV status;

(4) Offer to assist in notifying the individual's sexual and needle-sharing partners; and

(5) If necessary, take action appropriate to comply with § 18-337 of this title.

(f) The informed consent document shall be distinct and separate from all other consent forms.

(g) A patient identifying number obtained from an anonymous and confidential test site which is approved by the Department of Health and Mental Hygiene may be evidence of a patient's informed consent in lieu of a patient's signature.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

Approved May 9, 1995.

CHAPTER 322

(House Bill 1078)

AN ACT concerning

Eubie Blake National Museum and Cultural Center Loan of 1994

FOR the purpose of amending Chapter 220 of the Acts of the General Assembly of 1994, the Eubie Blake Cultural Center Loan of 1994, to make technical corrections to the