

SECTION 10. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 11. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1997.

Approved May 22, 1997.

CHAPTER 584

(Senate Bill 396)

AN ACT concerning

AIDS – Pregnant Women – Counseling and Testing

FOR the purpose of requiring certain health care providers to counsel pregnant women concerning testing for the presence of the human immunodeficiency virus (HIV); requiring the counseling to include certain information; establishing the confidentiality of certain test records; authorizing the introduction into evidence of certain test results under certain circumstances; establishing a certain immunity for health care providers and health care facilities under certain circumstances; and generally relating to the provision of HIV counseling to pregnant women.

BY adding to

Article – Health – General

Section 18-338.2

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)

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

Article – Health – General

18-338.2.

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

(2) "HEALTH CARE FACILITY" MEANS A FACILITY OR OFFICE WHERE HEALTH OR MEDICAL CARE IS PROVIDED TO PATIENTS BY A HEALTH CARE PROVIDER, INCLUDING:

(I) A HOSPITAL AS DEFINED IN § 19-301 OF THIS ARTICLE;