



General Assembly

February Session, 2022

Raised Bill No. 5190

LCO No. 1355



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING TESTING FOR HUMAN IMMUNODEFICIENCY VIRUS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) Any physician licensed
2 under chapter 370 of the general statutes, physician assistant licensed
3 under chapter 370 of the general statutes or advanced practice registered
4 nurse licensed under chapter 378 of the general statutes who is treating
5 a patient thirteen years of age or older in the emergency department of
6 a hospital licensed under chapter 386v of the general statutes or as the
7 patient's primary care provider in any location where the physician,
8 physician assistant or advanced practice registered nurse practices as a
9 primary care provider shall offer the patient an HIV-related test, as
10 defined in section 19a-581 of the general statutes, at least once annually,
11 where practicable, unless the physician, physician assistant or advanced
12 practice registered nurse documents that any of the following
13 conditions have been met: (1) The patient is being treated for a life-
14 threatening emergency; (2) the patient received an HIV-related test in
15 the preceding year; (3) the patient lacks the capacity to provide general
16 consent to the HIV-related test as required under subsection (a) of

17 section 19a-582 of the general statutes; or (4) the patient declines the
18 HIV-related test. Any physician, physician assistant or advanced
19 practice registered nurse offering an HIV-related test under this
20 subsection shall comply with all requirements prescribed in section 19a-
21 582 of the general statutes.

22 (b) Each hospital and each physician, physician assistant or advanced
23 practice registered nurse who is the primary care provider of a patient
24 thirteen years of age or older shall develop protocols, in accordance with
25 the provisions of section 19a-582 of the general statutes, for
26 implementing the HIV-related testing required under subsection (a) of
27 this section, including, but not limited to, the following: (1) Offering and
28 providing such testing to a patient and notifying the patient of the
29 results of such testing; (2) tracking and documenting the number of
30 HIV-related tests that were performed, the number of HIV-related tests
31 that were declined, and the results of the HIV-related tests; (3) reporting
32 of positive HIV-related test results to the Department of Public Health
33 pursuant to section 19a-215 of the general statutes; and (4) referring
34 patients who test positive for the human immunodeficiency virus to an
35 appropriate health care provider for treatment of such virus.

36 (c) On or before January 1, 2023, the Department of Public Health
37 shall, in consultation with community-based organizations with
38 demonstrated expertise in the care and treatment of or provision of
39 support services to persons with human immunodeficiency virus,
40 develop educational materials for the general public, hospitals and
41 primary care providers regarding the HIV-related testing required
42 under subsection (a) of this section and post such educational materials
43 on its Internet web site.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2022 | New section |

Statement of Purpose:

To require physicians, physician assistants and advanced practice registered nurses to offer HIV-related tests to patients thirteen years of age or older at least once annually.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]