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Legislative Document

No. 702

H.P. 532

House of Representatives, February 23, 2011

An Act To Prevent HIV Transmission from a Pregnant Mother to a Child

Received by the Clerk of the House on February 18, 2011. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Heather J.R. PRIEST

Presented by Representative STRANG BURGESS of Cumberland.

Cosponsored by Senator CRAVEN of Androscoggin and

Representatives: BERRY of Bowdoinham, KRUGER of Thomaston, SANBORN of Gorham, SIROCKI of Scarborough, STUCKEY of Portland, Senators: BRANNIGAN of Cumberland, PLOWMAN of Penobscot, SAVIELLO of Franklin.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §19203-A, sub-§6 is enacted to read:

6. Protection of newborn infants. Subject to the consent and procedure requirements of subsection 1, a health care provider who is testing a woman for pregnancy or who is providing care for a pregnant woman shall include an HIV test in a standard set of medical tests. A health care provider who is providing care for a newborn infant shall test the infant for HIV within 48 hours after birth if the health care provider does not know the HIV status of the mother or if the health care provider believes that HIV testing is medically necessary. If a woman declines to be tested for HIV pursuant to this subsection and subsection 1, the health care provider shall document the woman's decision in the woman's medical record.

12 SUMMARY

This bill provides for mandatory testing for HIV status as part of a standard set of medical tests for a pregnant woman or a woman being tested for pregnancy. The bill allows a woman to refuse an HIV test and requires documentation in the woman's medical record if she refuses an HIV test. The bill requires HIV testing of certain newborn infants.