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TO: The Honorable Peter A. Hammen, Chair  
Members, House Health and Government Operations Committee  
The Honorable Clarence K. Lam

FROM: Pamela Metz Kasemeyer  
Joseph A. Schwartz, III  
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DATE: March 10, 2015

RE: **SUPPORT** – House Bill 978 – *HIV Testing - Informed Consent and Pretest Requirements - Modification*

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On behalf of the Maryland State Medical Society (MedChi), the American Congress of Obstetricians and Gynecologists, Maryland Section (MDACOG) and the Mid-Atlantic Association of Community Health Centers (MACHC), we support House Bill 978.

House Bill 978 proposes to bring Maryland into full compliance with Centers for Disease Control (CDC) guidelines regarding HIV testing, that were first issued in 2006. In 2008, the General Assembly passed legislation that addressed HIV testing generally and the testing of pregnant women specifically. It reflected the culmination of a two-year effort to reform Maryland's antiquated HIV testing laws in order to bring them into general compliance with the 2006 CDC guidelines. That effort required a careful balance of interests of various stakeholders, in large part due to remaining concerns about the societal stigma associated with HIV. Consequently, while Maryland's current law generally conforms with the "opt-out" testing protocol, similar to consent requirements for other diagnostic testing, it still retains certain provisions that continue to create barriers to testing and reflects the historic stigma related to HIV, which is no longer of concern to any of the interested stakeholders.

Passage of House Bill 978 will remove all current barriers to testing and will place HIV in the same posture as other diagnostic testing and in full conformance with CDC guidelines. Pursuant to CDC guidelines, the bill continues to require appropriate patient education regarding HIV/AIDS, but does so in a manner that removes any barriers to testing. Effective treatment for HIV/AIDS, especially if diagnosed early, has progressed significantly. The management of the condition is not substantially different from other serious chronic diseases, and the quality of life for those who are diagnosed and treated early is high. Passage of this legislation will strengthen the State's ability to address Maryland's incidence of HIV and AIDS, facilitate the early screening and identification of individuals, thereby improving the quality of life for those who have contracted HIV/AIDS, and will undoubtedly save countless lives. A favorable report is requested.

**For more information call:**

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