

GREEN SHEET REDIGEST

HB 821

2018 Regular Session

Reynolds

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

AIDS: Provides relative to procedures for HIV testing in cases of possible exposure in certain healthcare settings and emergency situations

DIGEST

Present law provides for an exception to informed consent in testing for human immunodeficiency virus (HIV) and other infectious agents when it is determined by the infectious disease control officer, law enforcement, fire service, or emergency medical service agency that an employee has been exposed to blood or bodily fluids of a patient while rendering medical service.

Proposed law adds to present law an exception to informed consent in testing for human immunodeficiency virus (HIV) and other infectious agents when it is determined by the infectious disease control officer that a Good Samaritan has been exposed to blood or bodily fluids of a patient while rendering medical service.

Proposed law provides that the hospital infection control committee shall conduct with or without patient consent a rapid HIV and any other infectious disease testing on a patient who exposes an employee or Good Samaritan to blood or bodily fluids while rendering medical service.

Proposed law requires any Good Samaritan who believes he has sustained an exposure to an infectious disease from a person while rendering emergency healthcare services shall report to the hospital where the person is transported as soon as possible, but within four hours of possible exposure.

Proposed law provides that in the event that the Good Samaritan is unaware of where the patient is taken, the Good Samaritan may contact the designated infectious disease control officer of the transporting agency to make the report to the hospital on behalf of the Good Samaritan.

Present law authorizes the hospital to inform the exposed individual of the test results.

Proposed law changes present law to require the hospital to inform the exposed individual of the test results.

Proposed law provides that in the absence of a hospital committee quorum the emergency department staff shall be required to perform the test provided for in proposed law if so requested by the exposed party.

Proposed law provides that if the test performed on the patient returns as positive, the exposed party shall be given a prescription to combat the HIV virus and shall also receive counseling pertaining to the diagnosis as well as the medications being prescribed.

Present law provides that present law is not to be construed as a requirement that a hospital perform such test.

Proposed law repeals present law.

(Amends R.S. 40:1157.3(B) and (C); Repeals R.S. 40:1157.3(F))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Provides that the hospital infection control committee shall conduct with or without patient consent a rapid HIV and any other infectious disease testing on a patient who exposes a Good Samaritan to blood or bodily fluids while rendering emergency service.
2. Provides that in the event the Good Samaritan is unaware of where the patient is taken, the Good Samaritan may contact the designated infectious disease control officer of the transporting agency to make the report to the hospital on behalf of the Good Samaritan.
3. Defines the term "Good Samaritan".
4. Makes technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Adds requirement that in the absence of a hospital committee quorum the emergency department staff shall be required to perform the test provided for if so requested by the exposed party.
2. Adds requirement that if the test performed on the patient returns as positive, the exposed party shall be given a prescription to combat the HIV virus and shall also receive counseling pertaining to the diagnosis as well as the medications being prescribed.