



DEPARTMENT OF HEALTH

NEWS RELEASE

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NEW STATE LAW ENCOURAGES HEALTH CARE PROVIDERS TO TEST FOR HIV

HONOLULU -- A new law signed by Governor Linda Lingle in June will help facilitate HIV testing by Hawai'i's health care providers. Act 116 (09) amends Hawai'i Revised Statute (HRS) 325-16 which was originally written in the early years of the AIDS epidemic and required health care providers to obtain written informed consent and offer pretest HIV counseling before doing an HIV test. Act 116 removes these two provisions with the purpose of increasing HIV testing by Hawai'i health care providers.

The revision to HRS 325-16 requires that patients must be provided the opportunity to decline the test and they must express oral consent to have an HIV test. Patients are also to be informed that anonymous testing is available. As with the previous law, patients testing HIV positive must be afforded HIV counseling.

"The new law strikes a good balance between increasing access to HIV testing and protecting the rights of patients," said Peter Whiticar, chief of the Department of Health's STD/AIDS Prevention Branch.

Hawai'i has an estimated 2,600 to 3,200 HIV/AIDS cases. Nationally, it is estimated that approximately 25 percent of all infected individuals have not been tested or know that they have HIV. There are an estimated 56,300 new HIV infections in the U.S. annually.

(more)

The Centers for Disease Control and Prevention (CDC) issued recommendations in 2006 that all individuals between 13 and 64 years of age, including pregnant women in health care settings, get tested for HIV.

“We encourage all Hawai‘i health care providers to make HIV testing more available to their patients, and this new law should make it easier,” said Dr. Glenn Wasserman, chief of the Communicable Disease Division. Hawai‘i joins over 35 other states that follow CDC recommendations to facilitate routine HIV testing.

In Hawai‘i, HIV-positive individuals can access prevention services that help them protect their partners, and care and treatment services that can greatly improve quality of life and reduce the possibility of developing AIDS.

“Getting an HIV test should become a routine part of health care. Routine testing by health care providers reduces the stigma around HIV testing, and can reach individuals who may not know or admit that they are at risk,” said Whiticar. “Excellent HIV prevention and treatment services are available for those who test positive in Hawai‘i.”

The public should also be aware that free and anonymous HIV testing services will remain available through the Department of Health and community-based agencies statewide. An up-to-date listing of these sites can be found on the department’s web site at <http://hawaii.gov/health/healthy-lifestyles/std-aids/where-testing/index.html>

Act 116(09) can be seen on the web at http://www.capitol.hawaii.gov/session2009/bills/GM733_.PDF

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