

HB 2943 -2 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/11, 4/1

WHAT THE MEASURE DOES:

The measure requires hospitals to conduct specific tests when an individual consents to having a blood sample taken in a hospital emergency department.

Detailed Summary

- Requires hospital to use blood specimen to test for human immunodeficiency virus (HIV) and syphilis when an individual consents to receiving medical care in a hospital emergency department and has blood sample taken
- Prohibits hospital for conducting test if individual is able to grant or withhold consent
- Creates exemption for HIV test requirement if hospital has medical records showing individual has a history of a positive HIV test
- Requires health insurance policy to reimburse for costs of HIV and syphilis tests required by measure
- Appropriates unspecified funds to the Oregon Health Authority to dispense to counties in carrying out investigation and outreach related to increased HIV and syphilis testing

ISSUES DISCUSSED:

- Recent increases in emergency room visits resulting in a diagnosis of a sexually transmitted infection (STI)
- Potential liability concerns regarding timing of test results
- Contemplated reporting and follow-up mechanisms for positive results
- Complexity of syphilis testing
- Potential additional burden on hospital emergency departments
- Potential fiscal implications of implementation

EFFECT OF AMENDMENT:

-2 Replaces the measure.

Requires the Oregon Health Authority (OHA) to establish a pilot program where participating hospitals screen individuals who have blood samples drawn in the hospital emergency department for hepatitis C, human immunodeficiency virus (HIV), and syphilis.

Detailed Summary:

- Defines key terms, including "eligible individuals," "hepatitis C test," and "syphilis test"
- Requires OHA to establish pilot project, specifying that hospital participation is voluntary and that OHA select at least three hospitals ensuring that they represent urban, suburban, and rural areas; include at least one Type A or B hospital; and vary in bed number.
- Specifies testing protocols for participating hospitals, including required consent and notification requirements.
- Exempts individuals complying with pilot project protocols from civil liability.
- Requires OHA to submit report to Legislative Assembly by September 15, 2029.
- Requires insurers to cover costs of tests provided as part of pilot program.
- Sunsets pilot program and insurance coverage requirements on January 2, 2030.
- Appropriates \$4,000,000 to OHA; specifies that funds may be used to cover costs incurred by counties in carrying out additional investigation and outreach related to pilot program testing.
- Takes effect on 91st day following adjournment sine die.

FISCAL: Fiscal impact issued

REVENUE: No revenue impact

BACKGROUND:

Human immunodeficiency virus (HIV) is a virus that attacks the body's immune system, making a person more vulnerable to other infections and diseases. HIV is spread by contact with certain bodily fluids of an infected person, most commonly during unprotected sex or through sharing needles. If left untreated, HIV can lead to acquired immunodeficiency syndrome (AIDS). Syphilis is sexually transmitted infection (STI) that can stay in the body for years without causing symptoms. Easily treated by antibiotics, syphilis can damage the heart, brain, or other organs if not treated.

House Bill 2943 requires hospitals to perform tests for human immunodeficiency virus (HIV) and syphilis when an individual consents to receiving medical care in a hospital emergency department and has blood sample taken.