

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2647

H.P. 1954 House of Representatives, May 4, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Human Resources suggested
and ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative GWADOSKY of Fairfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Change the Effective Date
2 for HIV Counseling.
3

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

6 Sec. 1. 5 MRSA §19203-A, sub-§2, as amended by
7 PL 1987, c. 811, §4, is further amended to read:

8 2. Insurers. Persons required to take an HIV

1 test by an insurer, nonprofit hospital or medical
2 service organization or nonprofit health care plan
3 must provide their written informed consent on forms
4 approved by the Superintendent of Insurance.
5 Pretest and post-test counseling must be provided by
6 the person or organization requesting the test. The
7 Superintendent of Insurance may promulgate rules to
8 define language requirements of the form.

9 Sec. 2. 5 MRS §19203-A, sub-§2-A is enacted to
10 read:

11 2-A. Counseling; effective date. With respect to
12 any HIV test to which subsection 2 applies, the person
13 or organization requesting the test must offer to
14 provide pretest and post-test counseling to the person
15 tested. This subsection shall become effective May 1,
16 1989.

17 STATEMENT OF FACT

18 This bill delays the effective date of the
19 counseling requirements for persons who obtain an HIV
20 test as part of an application for insurance. The
21 delay allows insurers the time necessary to develop
22 administrative procedures for counseling.

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