

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



125th MAINE LEGISLATURE

FIRST REGULAR SESSION-2011

Legislative Document

No. 702

H.P. 532

House of Representatives, February 23, 2011

An Act To Prevent HIV Transmission from a Pregnant Mother to a Child

Received by the Clerk of the House on February 18, 2011. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST
Clerk

Presented by Representative STRANG BURGESS of Cumberland.
Cosponsored by Senator CRAVEN of Androscoggin and
Representatives: BERRY of Bowdoinham, KRUGER of Thomaston, SANBORN of Gorham,
SIROCKI of Scarborough, STUCKEY of Portland, Senators: BRANNIGAN of Cumberland,
PLOWMAN of Penobscot, SAVIELLO of Franklin.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §19203-A, sub-§6** is enacted to read:

3 **6. Protection of newborn infants.** Subject to the consent and procedure
4 requirements of subsection 1, a health care provider who is testing a woman for
5 pregnancy or who is providing care for a pregnant woman shall include an HIV test in a
6 standard set of medical tests. A health care provider who is providing care for a newborn
7 infant shall test the infant for HIV within 48 hours after birth if the health care provider
8 does not know the HIV status of the mother or if the health care provider believes that
9 HIV testing is medically necessary. If a woman declines to be tested for HIV pursuant to
10 this subsection and subsection 1, the health care provider shall document the woman's
11 decision in the woman's medical record.

12 **SUMMARY**

13 This bill provides for mandatory testing for HIV status as part of a standard set of
14 medical tests for a pregnant woman or a woman being tested for pregnancy. The bill
15 allows a woman to refuse an HIV test and requires documentation in the woman's
16 medical record if she refuses an HIV test. The bill requires HIV testing of certain
17 newborn infants.