

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -
2008**

COMMITTEE STATEMENT

LB954

Hearing Date: February 07, 2008

Committee On: Health and Human Services

Introducer(s): (Dierks)

Title: Change provisions relating to human immunodeficiency virus testing

Roll Call Vote - Final Committee Action:

Placed on General File with Amendments

Vote Results:

7 Yes	Senators Erdman, Gay, Hansen, Howard, Johnson, Pankonin, Stuthman
0 No	
0 Absent	
0 Present, not voting	

Proponents:

Senator Dierks
David Filipi MD

Rita White

Opponents:

Sharon G. Renter M.S.

Neutral:

Representing:

Introducer
Midwest Physicians Clinic and Nebraska
Medical Association
Nebraska Methodist Hospital and Nebraska
Hospital Association

Representing:

Nebraska Aids Project

Representing:

Summary of purpose and/or change:

LB 954 relates to testing for human immunodeficiency virus infection (HIV testing). The bill provides that an additional consent for HIV testing will not be required if a general consent form for the performance of medical tests or procedures has been signed, during the period when the general consent is effective.

If a person is unable to provide consent, consent may be provided by the person's legal representative. If the person's legal representative cannot be located or is unavailable, a health care provider may authorize HIV testing when the test results are necessary for diagnostic purposes to provide appropriate medical care

The bill deletes current provisions relating to the written informed consent for HIV testing.

The bill contains an emergency clause

Explanation of amendments, if any:

The committee amendment (AM 2117) requires that persons be informed on a general consent that a test for the presence of the human immunodeficiency virus infection may be performed under such consent and that the person may refuse the performance of the test. The amendment reinstates informed consent provisions stricken in the original bill relating to informed consent specifically for the performance of an HIV-related test.

Senator Joel Johnson, Chairperson