

HOUSE BILL REPORT

HB 1080

As Amended by the Senate

Title: An act relating to providing infectious disease testing for good samaritans.

Brief Description: Providing infectious disease testing for good samaritans.

Sponsors: Representatives Carlson, Ogden, Pennington, Dunn, Tokuda, Stensen, O'Brien, Morris, Conway, Lambert, Lantz, Wood, Rockefeller, Parlette, Esser and Lovick.

Brief History:

Committee Activity:

Health Care: 1/28/99, 2/9/99 [DP].

Floor Activity:

Passed House: 2/24/99, 95-0.

Senate Amended.

Passed Senate: 4/12/99, 46-0.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">· Permits uninsured persons who come in contact with bodily fluids while rendering emergency assistance to have free infectious disease testing.
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HOUSE COMMITTEE ON HEALTH CARE

Majority Report: Do pass. Signed by 12 members: Representatives Cody, Democratic Co-Chair; Parlette, Republican Co-Chair; Pflug, Republican Vice Chair; Schual-Berke, Democratic Vice Chair; Alexander; Boldt; Campbell; Conway; Edmonds; Edwards; Mulliken and Ruderman.

Staff: Bill Hagens (786-7131).

Background:

Current law grants a person (commonly referred to as a "good samaritan") who provides emergency assistance or transportation without compensation certain immunity from liability.

Proponents of this measure believe that such emergency assistance frequently involves mouth to mouth resuscitation or other emergency medical procedures that could result in the exchange of bodily fluids exposing the good samaritan to serious infectious diseases, e.g., hepatitis, tuberculosis, and human immunodeficiency virus (HIV). Further, that a number of good samaritans may be unable to pay for the testing necessary to detect infectious diseases.

Summary of Bill:

A good samaritan who comes in contact with bodily fluids while rendering emergency assistance is permitted to have infectious disease testing provided by a local public health department free of charge, if her or his health insurance does not cover such test. The Department of Health must adopt rules to implement these provisions.

EFFECT OF SENATE AMENDMENT(S): Adds provisions similar to those in SB 5793 and HB 2230 expanding protections of confidential health information.

The Department of Health [DOH] must report to the State Board of Health unauthorized disclosures of confidential information obtained through disease reporting. The report must include recommendations for prevention and improvement of the privacy systems in place. The DOH must assist health care providers and others to understand the rules on confidentiality.

The monetary penalties for violations of confidentiality are increased to \$10,000 for intentional or reckless violations. It is a misdemeanor for a local board of health member to violate the confidentiality provisions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Offering emergency assistance may result in the exchange of bodily fluids exposing the good samaritan to serious infectious diseases. Persons providing such an important public service should have access to the necessary testing regardless of ability to pay.

Testimony Against: None.

Testified: Representative Carlson, prime sponsor; (Pro w/suggestion) Jackie Der, University of Washington, Harborview.