

# FINAL BILL REPORT

## HB 1080

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C 391 L 99

Synopsis as Enacted

**Brief Description:** Providing infectious disease testing for good samaritans and expanding health care information confidentiality protections.

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

**House Committee on Health Care**  
**Senate Committee on Health & Long-Term Care**

**Background:**

Rendering emergency medical treatment resulting in exchange of bodily fluid increases a person's exposure to deadly infectious diseases like hepatitis and human immunodeficiency virus (HIV). Persons rendering emergency care or transportation as volunteers are known as "Good Samaritans." As volunteers, Good Samaritans may not be able to pay for disease testing when exposed to bodily fluids.

Across the state local health departments are contemplating changing their procedures to mandate physicians to report the name of any patient who tests HIV positive to the local health department. This action has been encouraged by federal health agencies. Driving the change is the success of drug therapies in treating Acquired Immunodeficiency Syndrome (AIDS). Earlier intervention is now important because of the life prolonging impact of drug therapies.

Confidentiality issues have arisen about personally identifying information being obtained by government agencies, particularly in the case of AIDS or HIV status.

**Summary:**

If a Good Samaritan has been exposed to bodily fluids while rendering emergency care and has no insurance to cover disease testing, the local health department must provide free testing. The local health department is not required to provide other services.

The Department of Health 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 department 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.

**Votes on Final Passage:**

House 95 0

Senate 46 0 (Senate amended)

House 84 13 (House concurred)

**Effective:** May 18, 1999 (Sections 1 and 2)  
July 25, 1999