

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 932  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 932  
entitled:

"A BILL FOR AN ACT RELATING TO INFECTIOUS DISEASE TESTING,"

begs leave to report as follows:

The purpose of this measure is to improve the early diagnosis  
of human immunodeficiency virus infections by removing significant  
procedural barriers to human immunodeficiency virus testing.

This measure accomplishes this purpose by replacing the  
requirement for pre-test human immunodeficiency virus counseling  
and for written informed consent with an opt-out requirement that  
requires a health care provider to inform a patient, either  
verbally or in writing, that they plan to perform a test to detect  
an human immunodeficiency virus infection and allows the patient  
to decline the test.

Your Committee received testimony in support of this measure  
from the Department of Health, Life Foundation, and one  
individual. Your Committee received testimony in opposition to  
this measure from the American Civil Liberties Union of Hawaii.

Copies of written testimony are available for review on the  
Legislature's website.

Your Committee finds that increasing access to human  
immunodeficiency virus testing will enable early detection and

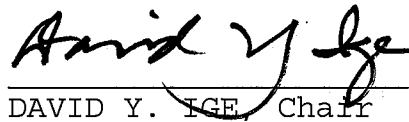


treatment for infected persons and lower the risk of human immunodeficiency virus transmission to their partners or others.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 932, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 932, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

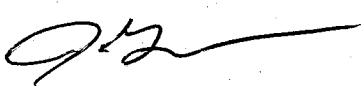
Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 932</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HTH, J30</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/13/9</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred	✓			
<b>TOTAL</b>	5	0	2	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

**\*Only one measure per Record of Votes**