

House Bill 454

By: Representatives Cannon of the 58th, Hawkins of the 27th, Evans of the 42nd, Deffenbaugh of the 1st, Cantrell of the 22nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 17A of Title 31 of the Official Code of Georgia Annotated, relating to
2 control of HIV, so as to provide for certain information in publicly funded health facilities
3 offering HIV testing; to provide for definitions; to provide for automatic repeal; to provide
4 for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Chapter 17A of Title 31 of the Official Code of Georgia Annotated, relating to control of
8 HIV, is amended by adding a new Code section to read as follows:

9 "31-17A-4.

10 (a) As used in this Code section, the term 'health care facility' means any hospital, health
11 clinic, community health center, health center operated by a county board of health or the
12 Department of Public Health, or a similar medical facility that receives any state or local
13 funds.

14 (b) Any health care provider in a health care facility that offers an HIV test to an
15 individual shall ensure that the patient receives timely information and counseling, as
16 appropriate, to explain the results and the implications for the patient's health. If a patient
17 tests positive for HIV infection, the health care provider shall inform the patient that there
18 are numerous treatment options available, including ongoing clinical trials, and identify
19 follow-up testing and care that may be recommended, including contact information for
20 medical and psychological services. If a patient tests negative for HIV infection, the health
21 care provider shall advise the patient of the need for periodic testing or retesting; shall
22 explain the limitations of current testing technology and the current window period for
23 verification of results; shall provide information about methods that prevent or reduce the
24 risk of contracting HIV, including, but not limited to, preexposure prophylaxis and
25 postexposure prophylaxis, consistent with guidance from the federal Centers for Disease
26 Control and Prevention; and may offer prevention counseling or a referral to prevention

27 counseling. The information required pursuant to this Code section may be provided in
28 writing, orally, or both.
29 (c) This Code section shall stand repealed on June 30, 2020."

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SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.