

1-25-95 Human Res

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SENATE FILE 63
BY PRIEBE

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the performance of certain HIV-related tests,
2 including tests performed on newly born infants.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 63

1 Section 1. Section 141.23, subsection 1, Code 1995, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. k. The parents and the physician named by
4 the parents of a newly born infant if an HIV-related test is
5 performed on a newly born infant pursuant to section 141.23A.

6 Sec. 2. Section 141.23A, Code 1995, is amended to read as
7 follows:

8 141.23A HUMAN IMMUNODEFICIENCY VIRUS EPIDEMIOLOGICAL
9 STUDIES -- BLINDED STUDIES PROHIBITED.

10 1. The department with the approval of the state board of
11 health may conduct epidemiological ~~blinded~~-and nonblinded
12 studies to determine the incidence and prevalence of the human
13 immunodeficiency virus infection. Initiation of any new
14 epidemiological studies shall be contingent upon the receipt
15 of funding sufficient to cover all the costs associated with
16 the studies.

17 2. ~~In-blinded-studies-personal-identifiers-shall-be~~
18 ~~permanently-stripped-from-the-specimens-selected-prior-to~~
19 ~~testing-for-the-human-immunodeficiency-virus-infection.--The~~
20 ~~informed-consent-and-reporting-and-counseling-requirements-of~~
21 ~~sections-141.8-and-141.22-do-not-apply.~~ The department shall
22 not conduct blinded epidemiological studies.

23 For the purposes of this section, "blinded epidemiological
24 studies" means studies in which specimens which were collected
25 for other purposes are selected according to established
26 criteria, are permanently stripped of personal identifiers,
27 and are then tested.

28 For the purposes of this section, "nonblinded
29 epidemiological studies" means studies in which specimens are
30 collected for the express purpose of testing for the human
31 immunodeficiency virus infection and persons included in the
32 nonblinded study are selected according to established
33 criteria. Sections 141.8 and 141.22 apply to nonblinded
34 epidemiological studies.

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EXPLANATION

1 This bill prohibits the conducting of blinded human
2 immunodeficiency virus epidemiological studies by the Iowa
3 department of public health. The bill also requires that if a
4 human immunodeficiency HIV-related test is conducted on a
5 newly born infant, the test results are to be released to the
6 parents of the infant and to the physician named by the
7 parents of the infant. The bill provides an exemption to the
8 confidentiality requirements relating to HIV-related testing
9 in order to allow for release of test results to the parents
10 and physician of the newly born infant.

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