



House of Representatives

General Assembly

File No. 556

January Session, 2019

Substitute House Bill No. 6540

House of Representatives, April 9, 2019

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE PREVENTION OF THE HUMAN IMMUNODEFICIENCY VIRUS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-592 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019*):

3 (a) Any licensed physician or advanced practice registered nurse
4 may examine and provide prophylaxis or treatment for human
5 immunodeficiency virus infection, or acquired immune deficiency
6 syndrome for a minor, only with the consent of the parents or
7 guardian of the minor unless the physician or advanced practice
8 registered nurse determines that notification of the parents or guardian
9 of the minor will result in prophylaxis or treatment being denied or the
10 physician or advanced practice registered nurse determines the minor
11 will not seek, pursue or continue prophylaxis or treatment if the
12 parents or guardian are notified and the minor requests that his or her
13 parents or guardian not be notified. The physician or advanced
14 practice registered nurse shall fully document the reasons for the

15 determination to provide prophylaxis or treatment without the consent
 16 or notification of the parents or guardian of the minor and shall
 17 include such documentation, signed by the minor, in the minor's
 18 clinical record. The fact of consultation, examination and prophylaxis
 19 or treatment of a minor under the provisions of this section shall be
 20 confidential and shall not be divulged without the minor's consent,
 21 including the sending of a bill for the services to any person other than
 22 the minor until the physician or advanced practice registered nurse
 23 consults with the minor regarding the sending of a bill. As used in this
 24 subsection, "prophylaxis" means the use of medication, but does not
 25 include the administration of any vaccine, to prevent disease.

26 (b) A minor shall be personally liable for all costs and expenses for
 27 services afforded the minor at his or her request under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	19a-592

Statement of Legislative Commissioners:

In Section 1(a), "prophylaxis or" was inserted before "treatment" for consistency.

PH Joint Favorable Subst. -LCO

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

This bill, which allows physicians and advanced practice registered nurses to provide, without parental or guardian consent, prophylaxis¹ to minors with Human Immunodeficiency Virus, is not anticipated to result in a fiscal impact to the State or municipalities.

The Out Years**State Impact:** None**Municipal Impact:** None

¹Prophylaxis is defined in the bill as the use of medication, other than a vaccine, to prevent disease.

OLR Bill Analysis**sHB 6540*****AN ACT CONCERNING THE PREVENTION OF THE HUMAN IMMUNODEFICIENCY VIRUS.*****SUMMARY**

Under certain conditions, existing law allows physicians and advanced practice registered nurses (APRNs) to examine and treat a minor for HIV or AIDS without the consent of the minor's parents or guardian. This bill additionally allows physicians and APRNs to provide prophylaxis to minors for HIV without parental or guardian consent, under the same conditions. It defines prophylaxis as the use of medication, other than a vaccine, to prevent disease (see BACKGROUND).

As under existing law for HIV treatment, the bill allows a physician or APRN to provide such prophylaxis without parental or guardian consent only after determining that (1) notifying them would result in denial of such prophylaxis or (2) the minor will not pursue or continue the prophylaxis if the parents or guardian are notified.

The bill similarly extends to HIV prophylaxis existing law's provisions that require documentation in the minor's medical record, confidentiality, and that the minor be liable for costs.

EFFECTIVE DATE: July 1, 2019

MEDICAL RECORDS, CONFIDENTIALITY, AND COSTS

Under the bill, if a physician or APRN provides HIV prophylaxis to a minor without parental or guardian consent:

1. the physician or APRN must fully document the reasons for doing so and include the documentation, signed by the minor, in the minor's clinical record;

2. the provision of prophylaxis must be kept confidential and not divulged unless the minor consents;
3. the physician or APRN must consult with and get the minor’s consent before sending a bill to anyone other than the minor; and
4. the minor is personally liable for all costs for services he or she receives without parental or guardian consent.

These provisions already apply under existing law to HIV treatment for a minor without parental or guardian consent.

BACKGROUND

Pre-Exposure Prophylaxis (PrEP) for HIV

According to the Centers for Disease Control and Prevention, PrEP is a method for people with substantial risk of contracting HIV to possibly prevent it, by taking a daily pill that includes two specified medications. When someone is exposed to HIV, these medications can prevent the virus from establishing a permanent infection.

COMMITTEE ACTION

Public Health Committee

Joint Favorable
Yea 21 Nay 0 (03/22/2019)