



PA 19-109—sHB 6540
Public Health Committee

AN ACT CONCERNING THE PREVENTION OF THE HUMAN IMMUNODEFICIENCY VIRUS

SUMMARY: This act allows physicians and advanced practice registered nurses (APRNs) to provide prophylaxis for HIV to minors without parental or guardian consent, under the same conditions that apply under existing law to examining or treating minors for HIV or AIDS without such consent. 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 act allows a physician or APRN to provide this 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.

Under existing law, the provision of HIV or AIDS treatment to a minor under these circumstances must not be disclosed unless the minor consents, including when the provider sends a bill to anyone other than the minor. The act extends this confidentiality provision to HIV prophylaxis, but provides two exceptions.

First, if the minor is age 12 or younger and receiving such prophylaxis or treatment without parental or guardian consent, the act requires the physician or APRN to report the minor's name, age, and address to the Department of Children and Families for an investigation of possible abuse or neglect. A similar requirement to report applies under existing law for treatment of minors age 12 or younger for sexually transmitted diseases, including HIV (CGS § 19a-216).

Second, the act specifies that physicians or APRNs treating a minor for HIV or AIDS under these circumstances may report to the Department of Public Health (DPH) and local health department as required by the law on DPH's list of reportable diseases (see BACKGROUND).

Lastly, the act extends to HIV prophylaxis existing law's provisions that require documentation in the minor's medical record and make the minor liable for costs.

EFFECTIVE DATE: July 1, 2019

MEDICAL RECORDS AND COSTS

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

1. 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 and

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2. 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 federal 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.

DPH Reportable Disease List

By law, DPH maintains an annual list of reportable diseases (including HIV and AIDS) and emergency illnesses and conditions and reportable lab findings. Health care providers and clinical laboratories must report cases of the listed conditions within certain timeframes to the department and the local health director where the case occurs.