

AIDS Foundation OF CHICAGO

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Vote YES on HB 1759 (Rep. Flowers/Sen. Collins) ***Improve HIV Testing for Pregnant Women & Retain Patient Protections***

HB 1759, sponsored by Rep. Mary Flowers (D-Chicago) and Sen. Jacqueline Collins (D-Chicago) creates opt-out HIV testing for pregnant women while retaining key patient protections that guard against women being tested without their knowledge. The bill passed the House on April 20, 2007 by a vote of 111-0-1, and passed the Senate 51-1 on May 17, 2007.

Illinois law currently requires that all pregnant women be offered an HIV test as early in pregnancy as possible so HIV-positive women may improve their health and reduce chances of HIV transmission from mother to child. HB 1759 requires that:

- All pregnant women must be informed they will be tested for HIV unless they refuse in writing (opt-out testing). They must be told that their newborn will be tested for HIV if their status is unknown.
- Healthcare facilities that serve pregnant women must provide specific, written notification about the provision of voluntary HIV testing and how testing may be declined as part of the general healthcare consent form presented to all women at the start of their prenatal care.
- As required currently, pregnant women must be given brief pre-test counseling.

By establishing opt-out testing for pregnant women in Illinois, HB 1759 will position our state to compete for federal funds likely to be set aside for routine testing of pregnant women and newborns.

The AIDS Foundation of Chicago supports opt-out testing for pregnant women because the bill:

- contains strong patient protections against involuntary HIV testing;
- ensures that women know that they can refuse HIV testing, without penalty, and understand the benefits and limitations of HIV testing;
- requires brief, simple pre-test counseling to ensure women know basic HIV prevention information.

Background: The Illinois Perinatal HIV Prevention Act (P.A. 93-0566) was enacted in 2003 and amended in 2006 (P.A. 94-0910). The state's perinatal HIV prevention program is a nationally recognized model for the prevention of mother-to-child HIV transmission. In 2006, more than 180,000 pregnant women—virtually every pregnant woman in the state—accepted voluntary HIV testing. Thanks to intensive efforts to diagnose and assist HIV-positive pregnant women in Illinois, cases of mother-to-child HIV transmission account for only a few cases each year (less than half of 1% of reported HIV diagnoses).

For more information, contact John Peller, 312-719-6208 or jpeller@aidschicago.org.

6/7/07

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