

VETOES

~~(2)~~ OBTAIN WRITTEN INFORMED CONSENT FROM THE INDIVIDUAL ~~IN--A--FORMAT~~ ON A UNIFORM HIV INFORMED CONSENT FORM THAT THE DEPARTMENT SHALL DEVELOP CONSISTENT WITH THE REQUIREMENTS OF THE DEPARTMENT AS ESTABLISHED BY REGULATIONS ADOPTED BY THE DEPARTMENT; AND

~~(3)~~ (2) PROVIDE THE PERSON INDIVIDUAL WITH PRETEST COUNSELING, INCLUDING:

(I) EDUCATION ABOUT HIV INFECTION AND METHODS FOR PREVENTING TRANSMISSION;

(II) INFORMATION ABOUT A PHYSICIAN'S DUTY TO WARN ~~THE-INDIVIDUAL~~; AND

(III) ASSISTANCE IN ACCESSING HEALTH CARE AVAILABLE TO AN INDIVIDUAL WHO TESTS POSITIVE FOR THE HIV INFECTION.

(C) REFUSAL TO CONSENT TO THE HIV ANTIBODY TEST OR A POSITIVE TEST RESULT MAY NOT BE USED AS THE SOLE BASIS BY AN INSTITUTION-~~7-~~ OR LABORATORY~~7--OR-PHYSICIAN~~ TO DENY SERVICES OR TREATMENT.

(D) IF THE INDIVIDUAL IS UNABLE TO GIVE INFORMED CONSENT, SUBSTITUTE CONSENT MAY BE GIVEN UNDER § 20-107 OF THIS ARTICLE.

(E) A HEALTH-~~---~~CARE-~~---~~PROVIDER PHYSICIAN OR PHYSICIAN'S DESIGNEE WHO OBTAINS A POSITIVE RESULT FROM AN HIV ANTIBODY TEST CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION SHALL:

(1) NOTIFY THE INDIVIDUAL FROM WHOM THE BLOOD SAMPLE WAS OBTAINED OF THE POSITIVE RESULT;

(2) ~~INFORM--THE--INDIVIDUAL--OF--AVAILABLE--COUNSELING~~ PROVIDE THE INDIVIDUAL WITH A COPY OF THE DEPARTMENT'S PUBLICATION DESCRIBING AVAILABLE COUNSELING SERVICES;

(3) COUNSEL THE INDIVIDUAL TO INFORM ALL SEXUAL AND NEEDLE-SHARING PARTNERS OF THE INDIVIDUAL'S POSITIVE HIV STATUS;

(4) ~~OFFER ASSISTANCE-TO-THE-INFECTED-PERSON TO ASSIST~~ IN NOTIFYING THE INDIVIDUAL'S SEXUAL AND NEEDLE-SHARING PARTNERS; AND

(5) IF NECESSARY, TAKE ACTION APPROPRIATE TO COMPLY WITH § 18-336 OF THIS TITLE.

(F) THE INFORMED CONSENT DOCUMENT SHALL BE DISTINCT AND SEPARATE FROM ALL OTHER CONSENT FORMS.