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*Testimony of Representative Laurie Osher presenting*  
**LD 1970, An Act to Amend the Laws Regarding Consent for  
HIV Testing and Disclosure of Related Medical Information  
for Insurance Purposes**  
*Before the Joint Standing Committee on Health Coverage, Insurance and  
Financial Services*

Senator Bailey, Representative Mathieson and honorable members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, I am Laurie Osher. I have the privilege of representing House District 25, most of Orono. Thank you to the committee for your consideration of **LD 1970, An Act to Amend the Laws Regarding Consent for HIV Testing and Disclosure of Related Medical Information for Insurance Purposes**, and to Speaker Fecteau for being kind enough to introduce the bill on my behalf as I am unable to attend today's hearing.

This legislation removes existing barriers for Mainers to access HIV testing. Current law mandates exceptional patient consent requirements for HIV screening as part of routine medical care, which is a legacy of the early days of the HIV/AIDS crisis. Today, those requirements are hampering much needed efforts to increase HIV testing in order to prevent transmission and provide effective, timely treatment.

LD 1970 would instead provide that an HIV test may be undertaken with a patient's general consent, bringing the requirement for patient consent more in line with other testing. It also protects a patient's right to decline HIV testing and specifies that general consent must be obtained without any form of constraint or coercion.

Making HIV testing part of routine medical consent fights stigma and improves access to testing. By doing so, we can prevent transmission and connect people with the treatment they need in

order to prevent HIV from progressing to AIDS. Modern HIV/AIDS treatments have turned what was once an almost always fatal infection into a manageable chronic condition, preserving the health of the person living with HIV and preventing transmission of the disease to others.

Despite the importance of early detection and treatment, Maine has fallen far behind in achieving these goals. According to the Frannie Peabody Center, Maine ranks 49th out of the 50 states for the percentage of people who receive their diagnosis once they are already experiencing late stage HIV or AIDS. That means that people are not accessing HIV testing soon enough to receive the treatment necessary to stop the progression of the disease. Delayed diagnosis and treatment not only threaten the life of the individual but also increases the risk of transmission to others.

Penobscot County, where I live, is experiencing an outbreak of HIV. Our public health organizations are working hard to respond to this increased transmission, even as the federal government has moved to eliminate HIV prevention and disease intervention programs. They need our help to reduce barriers to HIV testing so that public health experts can do their work efficiently in these modern times.

I have been grateful to work with expert health care professionals in developing this proposal and understand that some of them will be present today to share more information with the committee. Though I am unable to join them today, I look forward to working with the committee to advance this legislation between now and the work session. Thank you.