

**Testimony of Katie Rutherford**

**In Support of LD 1970 – *An Act to Amend the Laws Regarding Consent for HIV Testing and Disclosure of Related Medical Information for Insurance Purposes***

**Committee on Health Coverage, Insurance and Financial Services - May 20, 2025**

Senator Bailey, Representative Mathieson and Honorable Members of the Committee on Health Coverage, Insurance and Financial Services, my name is Katie Rutherford, and I am the Executive Director of Frannie Peabody Center, Maine's only remaining community-based HIV/AIDS services organization. We serve over 400 individuals living with HIV in Maine and provide over 2,000 free rapid HIV tests annually throughout the state, in addition to linkage to care and prevention navigation.

I am testifying in strong support of LD 1970, which updates Maine's laws to streamline consent for HIV testing and clarify the use of HIV-related medical information for insurance reimbursement.

This expansion comes at a critical time. With federal funding for HIV prevention and care programs under serious threat and the ongoing response to an HIV outbreak in Bangor, Maine must take every possible step to broaden access to testing and reduce barriers to early diagnosis and care. LD 1970 helps do exactly that.

**Enhancing Public Health Outcomes**

By aligning HIV testing consent with general medical consent practices, LD 1970 aims to normalize HIV testing as a routine part of healthcare. This approach can lead to earlier detection, timely treatment, and reduced transmission rates. Early diagnosis is crucial for effective management of HIV and for preventing its spread within the community.

**Reducing Barriers and Stigma**

Currently, separate written consent for HIV testing reinforces outdated stigmas and deters both providers and patients from engaging in routine screening. In contrast, LD 1970 makes clear that informed, opt-out testing can be conducted under general medical consent. While our own community-based testing is not tied to insurance or medical records, we strongly support efforts that allow clinical settings to adopt this approach, helping normalize HIV screening and encouraging more people to know their status.

**Aligning with Federal Recommendations**

LD 1970 reflects the January 15, 2024 CMS Informational Bulletin, which calls on states to eliminate unnecessary statutory and regulatory barriers to routine HIV screening. CMS clearly encourages general consent models that improve testing access—particularly for Medicaid populations and underserved communities. LD 1970 positions Maine to meet these expectations and strengthens our collective response to the HIV epidemic.

**A Broader Strategy in a Time of Uncertainty**

In this climate of growing need and strained capacity, we must do more with less. That includes strengthening the entire testing ecosystem—from hospitals to harm reduction programs—so that every Mainer has access to fast, judgment-free, life-saving information about their HIV status.

LD 1970 is a practical and timely step toward that goal. It reduces stigma associated with HIV testing, supports expanded testing access, and protects patient rights by ensuring individuals are informed and retain the option to decline.

I urge you to vote in favor of LD 1970 and help us continue building a Maine where fewer people are living with undiagnosed HIV—and more people have access to the care and support they need.

Thank you for your time and leadership.