



One Hundred First Legislature - First Session - 2009  
**Introducer's Statement of Intent**  
**LB 462**

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**Chairperson:** Tim Gay  
**Committee:** Health and Human Services  
**Date of Hearing:** February 6, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 462 amends the current law which governs testing for the presence of the human immunodeficiency virus (HIV). This bill eliminates the need for special written informed consent to administer the HIV test if a person has signed a general consent form for the performance of medical tests or procedures. LB 462 requires that a patient will be informed that the HIV test may be performed during the testing process. All patients have the right to refuse this test. A person's legal representative may provide consent for the HIV test. Health care providers may authorize HIV testing when the test results are necessary to make a diagnosis and provide appropriate medical care.

This change is necessary to enable health care providers to provide medical care which is consistent with current guidelines for diagnosis and treatment. The U.S. Centers for Disease Control and Prevention have recommended that separate written consent for HIV testing should not be required for patients in all health-care settings; instead, general consent for medical care should be considered sufficient to encompass consent for HIV testing.

**Principal Introducer:** \_\_\_\_\_  
**Senator M.L. Dierks**