
HOUSE CONCURRENT RESOLUTION

URGING THE GOVERNOR TO CHANGE THE HAWAII ADMINISTRATIVE RULES TO
ALLOW RAPID HIV TESTING IN THE STATE.

1 WHEREAS, the statistics on the current status of the human
2 immunodeficiency virus (HIV) epidemic in the United States are
3 staggering: an estimated 850,000-950,000 persons are living with
4 HIV; of these, 180,000-280,000 do not know they are infected;
5 each year at public testing sites, 27,000 to 30,000 HIV test
6 results are positive; and 31% of the people who test positive at
7 Centers for Disease Control and Prevention-funded conventional
8 public testing sites do not return for their results; and
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10 WHEREAS, rapid HIV testing allows patients who undergo
11 testing to receive their test results within about an hour,
12 significantly increasing the likelihood that patients receive
13 their test results and seek further testing and treatment if
14 results are positive; and
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16 WHEREAS, rapid HIV testing technology was approved for use
17 in the United States by the Federal Drug Administration in March
18 2004; and
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20 WHEREAS, because of the strict requirements in Chapter 11-
21 110, Hawaii Administrative Rules (HAR), on the use of rapid HIV
22 testing within the state, rapid HIV testing has been greatly
23 underused for public health purposes in Hawaii; and
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25 WHEREAS, the Centers for Disease Control and Prevention
26 (CDC), the Substance Abuse and Mental Services Health
27 Administration (SAMSHA), and other major federal public health
28 agencies strongly support the use of the rapid HIV testing to
29 increase knowledge of HIV serostatus; and



1 WHEREAS, for example, the use of rapid HIV testing is the
2 focus of CDC's "Advancing HIV Prevention" program; and

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4 WHEREAS, rapid HIV testing is currently being used in more
5 than 40 states across the nation for public health purposes; and

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7 WHEREAS, both CDC and SAMHSA have provided free rapid HIV
8 testing kits for the last several years, but Hawaii has not been
9 able to take advantage of them because of the current
10 administrative rules; and

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12 WHEREAS, Hawaii HIV Community Planning Group (CPG) has
13 strongly endorsed the use of rapid HIV testing in Hawaii; and

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15 WHEREAS, a major Oahu community-based organization has
16 received CDC funding specifically for the use of rapid HIV
17 testing to increase accessibility of the test but has been
18 unable to use the funds because of the current administrative
19 rules; and

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21 WHEREAS, the Department of Health is currently in the
22 process of amending Chapter 11-110, HAR, including amendments to
23 reduce barriers to the use of rapid HIV testing; and

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25 WHEREAS, rapid HIV testing will give the public additional
26 options for testing and is likely to increase the number of
27 clients who obtain their test results and if positive obtain
28 additional testing and treatment; now, therefore,

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30 BE IT RESOLVED by the House of Representatives of the
31 Twenty-fourth Legislature of the State of Hawaii, Regular
32 Session of 2007, the Senate concurring, that the Governor is
33 urged to change the HAR to allow the use of rapid HIV testing in
34 Hawaii; and

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36 BE IT FURTHER RESOLVED that certified copies of this
37 Concurrent Resolution be transmitted to the Governor and the
38 Director of Health.

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41 OFFERED BY: *John M. Morgan* *Pick* *TP* *Shawn* *Rob*
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