H. R. NO. 234

HOUSE RESOLUTION

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

WHEREAS, the statistics on the current status of the human 1 immunodeficiency virus (HIV) epidemic in the United States are 2 staggering: an estimated 850,000-950,000 persons are living with 3 HIV; of these, 180,000-280,000 do not know they are infected; 4 each year at public testing sites, 27,000 to 30,000 HIV test 5 results are positive; and 31% of the people who test positive at 6 Centers for Disease Control and Prevention-funded conventional 7 public testing sites do not return for their results; and 8 9 WHEREAS, rapid HIV testing allows patients who undergo 10 testing to receive their test results within about an hour, 11 significantly increasing the likelihood that patients receive 12 their test results and seek further testing and treatment if 13 results are positive; and 14 15 WHEREAS, rapid HIV testing technology was approved for use 16 in the United States by the Federal Drug Administration in March 17 2004; and 18 19 WHEREAS, because of the strict requirements in Chapter 11-20 110, Hawaii Administrative Rules (HAR), on the use of rapid HIV 21 testing within the state, rapid HIV testing has been greatly 22 underused for public health purposes in Hawaii; and 23

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

31 WHEREAS, for example, the use of rapid HIV testing is the 32 focus of CDC's "Advancing HIV Prevention" program; and 33

34 WHEREAS, rapid HIV testing is currently being used in more 35 than 40 states across the nation for public health purposes; and



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WHEREAS, both CDC and SAMHSA have provided free rapid HIV 1 testing kits for the last several years, but Hawaii has not been 2 able to take advantage of them because of the current 3 administrative rules; and 4 5 WHEREAS, Hawaii HIV Community Planning Group (CPG) has 6 7 strongly endorsed the use of rapid HIV testing in Hawaii; and 8 WHEREAS, a major Oahu community-based organization has 9 received CDC funding specifically for the use of rapid HIV 10 testing to increase accessibility of the test but has been 11 unable to use the funds because of the current administrative 12 13 rules; and 14 15 WHEREAS, the Department of Health is currently in the process of amending Chapter 11-110, HAR, including amendments to 16 reduce barriers to the use of rapid HIV testing; and 17 18 WHEREAS, rapid HIV testing will give the public additional 19 options for testing and is likely to increase the number of 20 clients who obtain their test results and if positive obtain 21 additional testing and treatment; now, therefore, 22 23 BE IT RESOLVED by the House of Representatives of the 24 Twenty-fourth Legislature of the State of Hawaii, Regular 25 Session of 2007, that the Governor is urged to change the HAR to 26 allow the use of rapid HIV testing in Hawaii; and 27 28 BE IT FURTHER RESOLVED that certified copies of this 29 Resolution be transmitted to the Governor and the Director of 30 31 Health. 32 33 OFFERED BY: Nella & Belath 34 D. HR HMS arbura Manim MAR 1 4 2007