



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

### House Committee on Judiciary

### S.B. 932, S.D. 2, H.D. 1, Relating to Infectious Disease Testing

Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health

April 2, 2009

1 **Department's Position:** The Department strongly supports this Administration bill with revisions  
2 **Fiscal Implications:** None.  
3 **Purpose and Justification:** The purpose of this bill is to facilitate Human Immunodeficiency Virus  
4 (HIV) testing by health care providers to improve early diagnosis of HIV infections by removing two  
5 significant procedural barriers identified by extensive national research. These barriers are: 1) the  
6 requirement for health care providers to obtain specific written informed consent prior to HIV testing,  
7 and 2) the requirement that they provide pre-test HIV prevention counseling. In Hawaii, HIV testing  
8 will be facilitated by amending Hawaii Revised Statutes §325-16 to remove these two requirements and  
9 add an opt-out provision. Opt-out requires a health care provider to inform a patient either verbally or in  
10 writing, that they want to perform an HIV test and allows the patient to decline this test.

11 In 2006, the Centers for Disease Control and Prevention (CDC) strongly recommended that states  
12 amend their laws as this bill proposes. CDC's research found that patients are often not offered HIV  
13 testing despite previous health care visits because of such barriers.

14 This change in law will allow Hawaii's health care providers to more easily offer HIV testing and  
15 more individuals, including pregnant women, to access HIV care and treatment if they are infected.

1 Positive patients will be able to receive prevention services earlier to lower the risk of HIV  
2 transmissions to others. This will help to contain costs of emergency and inpatient HIV critical care for  
3 private and public medical insurers and/or individual patients.

4 The Department and the broad-based coalition of community stakeholders who helped develop  
5 the draft legislation, believe the State has a compelling interest in preventing the spread of disease by the  
6 twenty five percent of individuals with HIV who CDC estimates have not been tested and do not know  
7 they have HIV. Their constitutional right to privacy is already strongly protected by provisions in HRS  
8 §325-101 and §92F-17 that explicitly prohibit unauthorized disclosure of HIV status and fully protect  
9 confidentiality of personal medical information.

10 In SB932,S.D.2,H.D.1, health care providers are obliged to inform patients that an HIV test is to  
11 be provided and that patients may decline the test. Patients are also informed that anonymous testing  
12 may be available through the Department and community. These measures ensure that HIV testing is  
13 voluntary. The Department requests that SB932,S.D.2,H.D.1 be amended to commence on July 1, 2009.

14 We believe that this bill will strengthen the public health and fully respect the rights of all  
15 individuals.

16 Thank you for the opportunity to testify.



# GREGORY HOUSE PROGRAMS

*Hawaii's Statewide HIV/AIDS Housing and Support Services Provider*

Bill: SB 932, SD2, HD 1  
Relating to Infectious Disease Testing

DATE: Thursday April 2, 2009

TIME: 3:45 pm

PLACE: Conference Room 325

## **Board of Directors**

David Andreoli  
**President**

Guy Merola  
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Akiko Hayashida  
**Secretary**

## **Board Members**

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Jaimie Kahale

Cecile Kendrick

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Donald Munro

Gennitt Simons

Les Ueoka

Leighton Yuen

Dear Chair Rep. Jon Riki Karamatsu and Committee Members:

My name is Jon Berliner, Executive Director of Gregory House Programs, **Hawaii's statewide HIV/AIDS housing organization**. On behalf of Gregory House Programs, I wish to express **strong support of SB 932, SD2, HD1**.

Thank you for the opportunity to offer testimony in strong support of SB 932, SD2, HD1. This bill will support the reduction in barriers to HIV counseling and testing and is in line with recommendations issued by the Centers for Disease Control and Prevention. Gregory House Programs strongly supports passage of this bill. The following documents the benefits of this bill:

- reduce barriers to HIV counseling and testing by make it more efficient for healthcare providers
- allow Hawaii to follow the recommendations of CDD and major national organizations in support of increased testing in health care settings
- help reduce the estimated 25% of Americans who are HIV positive but do not know their HIV status because they have not been tested
- help many individuals in Hawaii to learn their HIV status and seek care and treatment
- help reduce transmission of HIV in Hawaii and reduce the long term costs to those infected and to our state
- help make HIV testing by healthcare providers more routine and reduce the stigma based on offering testing by perceived risk
- make it easier for healthcare providers to offer HIV testing to pregnant women and other patients
- reduce the missed opportunities for individuals to learn their HIV status when they are in contact with healthcare providers
- allow individuals to learn their HIV status earlier and receive early care services which will allow them to stay healthier, maintain employment and reduce the high costs of emergency room and hospital care
- allow individuals to learn their HIV status earlier and receive early prevention services which reduce HIV transmission to others
- ensure that all patients testing HIV positive will receive their results and be offered appropriate counseling

**Thank you for the opportunity to provide testimony in strong support of SB 932, SD 2, HD 1.**

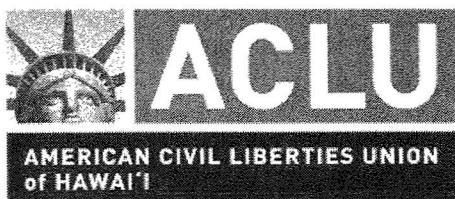
Sincerely and with aloha,

Jonathon Berliner  
Executive Director  
Gregory House Programs

770 Kapiolani Blvd., Suite 503, Honolulu, Hawaii 96813 808-592-9022 Facsimile 808-592-9049

*"Housing is Healthcare"*

**Executive Director**  
Jonathon Berliner  
[jonb@gregoryhouse.org](mailto:jonb@gregoryhouse.org)



**VIA EMAIL:**            **JUDtestimony@capitol.hawaii.gov**  
Committee:            Committee on Judiciary  
Hearing Date/Time:    Thursday, April 2, 2009, 3:45 p.m.  
Place:                 State Capitol, Conference Room 325  
Re:                     *Testimony of the ACLU of Hawaii in Opposition to S.B. 932, S.D.2, H.D.1,  
                             Relating to Infectious Disease Testing*

Dear Chair Karamatsu and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in opposition to S.B. 932, S.D.2, H.D.1, which proposes to expand routine HIV testing by eliminating the safeguards that ensure HIV testing is voluntary and informed. While we agree that increasing access to testing and care is a critically important goal, S.B. 932, S.D.2’s proposal to eliminate written consent and counseling requirements is not the answer. HIV testing must remain informed and voluntary.

The ACLU of Hawaii met with S.B. 932, S.D.2’s proponents and attempted to resolve our points of disagreement. As a result, the bill’s proponents suggested language that we found to be an improvement but which ultimately did not allay our concerns.

**Eliminating written consent and counseling requirements threatens Hawaii residents’ health and privacy, goes against long-standing principles of patient autonomy in medical decision-making and ignores the important benefits that informed consent and counseling provide to patients being testing for HIV.**

- 1. Involuntary and uninformed medical HIV testing violates the privacy rights of Hawaii’s citizens.*

The Hawaii Constitution explicitly protects every individual’s fundamental right to privacy, including privacy as to personal information and autonomy.

Art. I, §6, of the Hawaii Constitution, as adopted by the 1978 Constitutional Convention and as ratified by the electorate, secures personal privacy as a fundamental right of the highest order. Specifically, the provision states:

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[www.acluhawaii.org](http://www.acluhawaii.org)

Hon. Rep. Karamatsu, JUD Committee,  
and Members Thereof  
April 2, 2009  
Page 2 of 5

The right of the people to privacy is recognized and shall not be infringed without the showing of a compelling state interest. The legislature shall take affirmative steps to implement this right.

The Supreme Court of Hawaii has held that the Hawaii Constitution must be construed with due regard to the intent of the framers and the people adopting it. *State v. Kam*, 69 Haw. 483, 492, 748 P.2d 372, 377 (1988) (citing *State v. Lester*, 64 Haw. 659, 649 P.2d 346 (1982)). The fundamental principle in interpreting a constitutional provision is to give effect to that intent. *Id.* (citing *Huihui v. Shimoda*, 64 Haw. 527, 644 P.2d 968 (1982); *State v. Kahlbaun*, 64 Haw. 197, 638 P.2d 309 (1981); *State v. Miyasaki*, 62 Haw. 269, 614 P.2d 915 (1980)). In discussing the intent of the framers in adopting Article I, §6, of the Hawaii Constitution, the Supreme Court of Hawaii has noted:

The proposal to expressly acknowledge the ‘right of the people to privacy’ was offered by the Committee on Bill of Rights, Suffrage and Election of the Constitutional Convention of Hawaii of 1978. After reviewing the privacy provision in the Hawaii counterpart of the Fourth Amendment, the committee reported ‘it would be appropriate to retain [this] privacy provision ... but limit its application to criminal cases, *and create a new section as it relates to privacy in the informational and personal autonomy sense.*’

*Nakano v. Matayoshi*, 68 Haw. 140, 147, 706 P.2d 814, 818 (1985) (citing Stand. Comm. Rep. No. 69, in Proceedings of the Constitutional Convention of Hawaii of 1978, Vol. I, at 674) (emphasis added).

The plain language of the Constitution, as bolstered by the framers’ intent, makes clear that the right to privacy in Hawaii is — in and of itself — a fundamental right. The right of privacy “is so important in value to society that it can be infringed upon only by the showing of a compelling state interest. If the State is able to show a compelling state interest, the right of the group will prevail over the privacy rights or the right of the individual. However, in view of the important nature of this right, the State must use the least restrictive means should it desire to interfere with the right.” *State v. Kam*, 69 Haw. at 493, 748 P.2d at 378 (citing Stand. Comm. Rep. No. 69, in 1 Proceedings of the Constitutional Convention of Hawaii of 1978, Vol. I at 674-75).

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S.B. 932, S.D.2 erodes our privacy rights contrary to our State's values and to the stated purpose of Hawaii's privacy clause in that it would allow doctors to invade patients' bodies without their true consent and without informing them of important legal and social consequences, including that Hawaii state law requires doctors to report the names of those who test positive for HIV and that patients are required to pay for the HIV test. The state of Hawaii should not allow these invasions of privacy without at least ensuring that patients fully understand what they are being asked to do.

2. *Obtaining documented and informed consent is the best way to avoid potential liability in malpractice and discrimination lawsuits.*

While, on the surface, forgoing written consent and pre-test counseling may seem appealing to medical professionals, the reality is that doctors take the risk that they will later have to prove – with no written record – that a patient consented to an HIV test after being informed fully of the implications.

3. *People who are tested with their knowledge are more likely to get the care they need.*

While diagnosis soon after infection can add to life expectancy, it only applies if people get treatment after testing positive. Patients tested without consent and/or without understanding the possible significance of the test are more likely to be alienated from care.

Similarly, because HIV-positive adolescents are at greater risk of self-destructive behavior without adequate counseling, eliminating the requirements may jeopardize teen health and actually hamper efforts to prevent transmission of HIV.

4. *People need more information about why they may be at risk for HIV, not less.*

Many people are still in the dark about basic facts regarding HIV transmission. Increased offers of testing provide an excellent opportunity to educate patients about HIV and thus change risk behaviors and reduce the HIV/AIDS stigma that is fueled by misinformation about the routes of HIV transmission. Eliminating pre-test prevention counseling means losing a critical opportunity to educate people about HIV.

5. *Tangible benefits result from the doctor-patient dialogue that the informed consent requirement envisions, including increased trust and a greater likelihood that a patient will be linked to follow up care.*

Many of the populations that are in the most need of increased testing may already be mistrustful of public-health efforts. Even those who trust the government and their doctors are likely to fear them if they are tested without their knowledge or fully informed consent.

If the Committee finds that the current rules are not effective, then Hawaii should look at successful models that encourage providers to offer HIV testing to a broader range of people without abandoning safeguards that ensure that testing is informed and voluntary.<sup>1</sup>

Written consent and pre-test counseling need not be barriers to testing. People will be better able to take care of themselves and one another if medical providers routinely offer testing and explain its benefits. When people can make voluntary and informed decisions to protect their health, everyone wins.

For more resources on written informed consent and counseling, see:

- American Bar Association comments on the CDC recommendations, available at <http://www.champnetwork.org/media/aba.pdf>
- American Academy of HIV Medicine comments to the CDC, available at <http://www.champnetwork.org/media/AAHIVM.pdf>
- AIDS Alliance for Children, Youth and Families comments to the CDC, available at <http://www.champnetwork.org/media/AIDS-Alliance.pdf>
- National Association of People with AIDS (NAPWA) comments on CDC recommendations, available at [http://www.napwa.org/documents/routine\\_testing\\_counseling.pdf](http://www.napwa.org/documents/routine_testing_counseling.pdf)

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<sup>1</sup> See Centers for Disease Control and Prevention, Revised Recommendations for HIV testing of adults, adolescents, and pregnant women in health-care settings, MMWR (No. RR-14), at 6 (2006) [citing Rothman, supra note 8, at 33 (finding that emergency room testing can be increased by streamlining the counseling and providing some information in writing, as well as by involving non-physician staff in counseling)]. Available at <http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5514a1.html>

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April 2, 2009  
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- Comments on the CDC recommendations by community-based organizations serving people living with HIV, available at [http://www.aidschicago.org/pdf/2006/adv\\_testing\\_statement.pdf](http://www.aidschicago.org/pdf/2006/adv_testing_statement.pdf)
- Ann Fisher, Catherine Hanssens & David Schulman, The CDC's Routine HIV Testing Recommendation: Legally, Not so Routine, 11 HIV/AIDS Policy & Law Review 17 (Dec. 2006), available at <http://www.aidslaw.ca/publications/interfaces/downloadFile.php?ref=955>

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawai'i  
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**Hawai'i HIV/AIDS Community Planning Group**  
**C/O Hawaii Department of Health, STD/AIDS Prevention Branch**  
**3627 Kilauea Avenue, Room 305**  
**Honolulu, Hawaii 96816**

**Committee:** Committee on Judiciary

**Hearing Date:** Thursday April 2, 2009. 3:45 PM.

**Place:** Committee Room 325

**Bill title:** Relating to Infectious Disease Testing

**Bill number:** SB 932, SD2, HD1

Dear Rep. Jon Riki Karamatsu, Chair and Committee Members:

My name is Jon Berliner and I am one of the Community Co-Chairs of the **Hawai'i HIV/AIDS Community Planning Group**. I am providing this testimony in **strong support of SB 932, SD2, HD1** on behalf of the Hawaii HIV/AIDS Community Planning Group Steering Committee. At our Steering Committee meeting today, Monday, February 9, 2009, we voted to authorize this testimony on behalf of the Steering Committee of the Hawaii HIV/AIDS Community Planning Group (CPG). The CPG Steering Committee oversees the vision and direction of community planning around prevention and care services for HIV and AIDS, and in turn advises the Hawaii Department of Health on these services.

**Thank you for the opportunity to provide testimony in strong support of SB 932, SD2, HD1.** This bill will support the reduction in barriers to HIV counseling and testing and is in line with recommendations issued by the Centers for Disease Control and Prevention. The **Hawai'i HIV/AIDS Community Planning Group Steering Committee** strongly supports passage of this bill. The following documents the benefits of this bill:

- reduce barriers to HIV counseling and testing by make it more efficient for healthcare providers
- allow Hawaii to follow the recommendations of CDD and major national organizations in support of increased testing in health care settings
- help reduce the estimated 25% of Americans who are HIV positive but do not know their HIV status because they have not been tested
- help many individuals in Hawaii to learn their HIV status and seek care and treatment
- help reduce transmission of HIV in Hawaii and reduce the long term costs to those infected and to our state
- help make HIV testing by healthcare providers more routine and reduce the stigma based on offering testing by perceived risk
- make it easier for healthcare providers to offer HIV testing to pregnant women and other patients
- reduce the missed opportunities for individuals to learn their HIV status when they are in contact with healthcare providers
- allow individuals to learn their HIV status earlier and receive early care services which will allow them to stay healthier, maintain employment and reduce the high costs of emergency room and hospital care
- allow individuals to learn their HIV status earlier and receive early prevention services which reduce HIV transmission to others
- ensure that all patients testing HIV positive will receive their results and be offered appropriate counseling

Thank you for the opportunity to testify in **strong support of SB 932, SD2, HD1.**

Sincerely and with aloha,

Jon Berliner, Community Co-Chair  
Hawai'i HIV/AIDS Community Planning Group



# Life Foundation

## WRITTEN TESTIMONY

Hawaii State House of Representatives  
Committee on Judiciary

Thursday, April 2, 2009, 3:45 p.m. - Room 325

FIGHTING AIDS

IN HAWAII

AND THE PACIFIC

### SB932 SD2 HD1 RELATING TO INFECTIOUS DISEASE TESTING

Chairman Karamatsu, Vice Chairman Ito and Members of the Committee on Judiciary:

Life Foundation, Hawaii's oldest and largest HIV/AIDS organization asks to be recorded **In Support of SB 932 SD 2 HD 1**, which seek to amend the state's longstanding HIV Informed Consent statute by removing barriers to routine HIV testing in healthcare settings. Both this measure and a largely similar bill, HB 1114, have been passed unanimously by the House committee on Health.

It should be noted that the only changes this bill makes to the HIV informed consent law are the elimination of written informed consent by the person to be tested and the elimination of the pre-test counseling requirement. These changes apply only to HIV tests performed in healthcare settings. All other testing venues remain bound by the original law.

This bill will have no effect whatsoever on patient confidentiality or privacy, both of which are amply protected by general medical confidentiality laws as well as statutes specific to HIV information. The bill will not change a patient's right to agree to or decline an HIV or any other screening test suggested by a physician.

My testimony in previous hearing on the House and Senate bills follows:

In the early years of the AIDS epidemic in Hawaii, the legislature, in its wisdom, enacted a law that prohibited testing anyone for HIV infection without pre and post test counseling and written informed consent by the person to be tested. Given the significant shame, stigma, prejudice and ignorance surrounding AIDS at that time, the approach taken by the state was both commendable and appropriate.

The CDC has determined that nearly 25% of people infected by HIV do not know their status and, as a result, are not in a position to seek early medical intervention for the treatment of HIV and related conditions. At the same time, the CDC reports that annual HIV infections in the United States are not declining but remain stable at about 56,000 newly reported cases each year.

677 ALA MOANA BLVD.

SUITE NO. 226

HONOLULU

HAWAII

96813

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www.lifefoundation.org

Aloha United Way 

The purpose of this legislation is to remove the requirements of pre-test counseling and a separate written informed consent before an HIV test can be administered in a healthcare setting. As with all diagnostic tests, a general consent will still be required before testing.

This legislation only pertains to healthcare settings. Sites that provide anonymous or confidential HIV testing, such as the Life Foundation and the Department of Health, will still be required to offer counseling before and after a test is administered.

Because this legislation will help make HIV testing a routine healthcare practice, it has the potential of finding HIV positive people who would not otherwise seek HIV testing. At the same time, we are confident that existing privacy laws and healthcare practices will continue to safeguard the confidentiality that is so important to people infected with HIV.

It is time for HIV/AIDS to become a health issue and not a moral one.



Paul S. Groesbeck  
Executive Director

Email: [pgroesbeck@lifefoundation.org](mailto:pgroesbeck@lifefoundation.org)  
Telephone: 853-3234



Thursday, April 3, 2009, 3:45 PM, CR 325

To: COMMITTEE ON JUDICIARY  
Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

From: Hawaii Medical Association  
Gary A. Okamoto, MD, President  
Philip Hellreich, MD, Legislative Co-Chair  
Linda Rasmussen, MD, Legislative Co-Chair  
April Donahue, Executive Director  
Richard C. Botti, Government Affairs  
Lauren Zirbel, Government Affairs

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April Donahue  
Executive Director

Re: SB 932, SD2, HD1 RELATING TO INFECTIOUS DISEASE TESTING

**Chairs & Committee Members:**

Hawaii Medical Association supports this measure.

For the sake of patients and to protect the public and health care workers, physicians should be able test for HIV the way they do for all other infectious diseases, such as syphilis, hepatitis, and tuberculosis.

This measure will increase early detection of HIV and help ensure the safety of all our citizens from this infectious disease.

Thank you for the opportunity to provide this testimony.

Hawaii Medical Association  
1360 S. Beretania St.  
Suite 200  
Honolulu, HI 96814  
(808) 536-7702  
(808) 528-2376 fax  
www.hmaonline.net

TO: Judiciary Committee  
Rep. Jon Riki Karamatsu, Chair  
Rep Ken Ito, Vice Chair

FROM: Sheila Beckham, RD, MPH  
Executive Director  
Waikiki Health Center

RE: SB932 SD 2, HD 1  
Thurs. April 2, 2009  
Conference Room 325

Waikiki Health Center supports SB932 that will provide HIV screening as a seamless component of primary health care. Twenty-five percent of the HIV-infected population is unaware that they are infected with the HIV virus. Early detection is critical to reducing the spread of HIV; to improving access to timely treatment; and to facilitating a better quality of life. Reducing access barriers to care by eliminating the lengthy consent process, will enable health care providers to identify HIV during routine medical visits.

We strongly urge you to support the 2006 CDC screening recommendations and thank you for the opportunity to submit this testimony.

# WAIKIKI HEALTH CENTER



*Quality medical and social services for everyone, regardless of ability to pay*

**President**  
Philip Kinnicut

**Vice President/Finance  
Treasurer**  
Max Botticelli, MD

**Vice President/Governance**  
Marya Grambs

**Vice President/Development  
& Public Relations**  
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**Secretary**  
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H. Joseph Cunningham  
Aloha Dalire  
Diana Fi  
Derrick Tod Kang  
Howard Lee  
Melanie Mito May  
Thanh-Lo Sananikone

**Member Emeritus**  
M. Lou Hefley, MD

April 1, 2009

Aloha!

As the Chief Operations Officer of Waikiki Health Center, I submit this testimony in strong support of SB932, SD 2, HD 1. By 2008, Hawai'i had reported over 3,000 cases of AIDS and an estimated 1,300 cases of HIV. Nationally it is estimated that over 25% of those living with HIV do not know their HIV status because they have not been tested. As a result, these individuals do not access appropriate prevention, care, and support services that are vital to stopping the spread of the disease and improving health outcomes post diagnosis.

The Waikiki Health Center has the highest case load of HIV/AIDS patients of all Community Health Centers in Hawai'i and has been an active member of the HIV Testing of Adults, Adolescents and Pregnant Women in a Medical Care Setting Workgroup. Far too frequently we find patients presenting for HIV testing only after realizing symptoms of the disease. Early and periodic screening without barriers are essential to diagnosis and effective treatment against this disease.

Again, I strongly urge your positive review of SB 932, SD2, HD1.

Respectfully,

Bryan Talisayan  
Chief Operations Officer

## karamatsu3-Leanne

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**From:** harry [docharry@hawaii.rr.com]  
**Sent:** Wednesday, April 01, 2009 9:23 PM  
**To:** JUDtestimony  
**Subject:** SB 932 SD2 HB1

Thursday, April 2, 2009  
Conference Room 325

Committee on Judiciary

Rep. John Riki Karamatsu, Chair  
Rep. Ken Ito, Vice-Chair

The American College of Obstetricians and Gynecologists Hawaii Section strongly supports Sb 932 SD2 HB1 Relating to Infectious Disease Testing. This will enable HIV to be detected earlier and enable these patients to receive more timely treatment and counseling.  
Thank you for your time.

Sincerely,  
Harry N. Yoshino, M.D.  
Chair, ACOG Hawaii Section

**karamatsu3-Leanne**

---

**From:** katz001@hawaii.rr.com  
**Sent:** Wednesday, April 01, 2009 12:17 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support of: SB 932 SD 2, HD 1

Testimony in support of: SB 932 SD 2, HD 1

To be heard by: House Judiciary Committee, Rep. Jon Riki Karamatsu, Chair  
DATE: Thursday, April 02, 2009  
TIME: 3:45 p.m.  
PLACE: Conference Room 325  
State Capitol

My name is Alan Katz. I am a physician epidemiologist and faculty member at the John A. Burns School of Medicine, University of Hawaii, but I do not represent the University of Hawaii. I only represent myself. Thank you for the opportunity to testify in strong support of SB 932 SD 2, HD 1.

This bill will greatly reduce existing barriers to HIV testing. The recommended legislation has been developed in consultation with the US Centers for Disease Control and Prevention and with input from representatives of local health care providers and HIV/AIDS service organizations.

If passed, it will help facilitate HIV testing for persons being seen in health care settings but will continue to protect the confidentiality of persons being tested. By making HIV testing more routine, the stigma which is still attached to HIV testing will be minimized. It is essential for persons to learn their HIV status as early as possible, as early therapeutic intervention can optimize an HIV-infected person's health and reduce health care costs associated with the severe manifestation related to delayed diagnosis and untreated HIV disease.

Thank you for the opportunity to testify in strong support of SB 932 SD 2, HD 1.