

ASSEMBLY, No. 1793

STATE OF NEW JERSEY

INTRODUCED MARCH 28, 1996

By Assemblywoman VANDERVALK

1 AN ACT concerning health care services for pregnant women and
2 amending P.L.1995, c.174.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 2 of P.L.1995, c.174 (C.26:5C-16) is amended to read
8 as follows:

9 2. a. A physician or other health care practitioner who is the
10 primary caregiver for a pregnant woman or a woman who seeks
11 treatment within four weeks of giving birth, shall, in accordance with
12 guidelines developed by the commissioner, provide the woman with
13 information about HIV and AIDS, and also inform the woman of the
14 benefits of being tested for HIV and present her with the option of
15 being tested. The physician or other health care practitioner shall also
16 inform the woman about the opportunity, if she tests positive for HIV,
17 to use certain medications to reduce the risk of transmitting the virus
18 to her child. The woman shall, on a form and in a manner prescribed
19 by the commissioner, acknowledge receipt of the information and
20 indicate her preference regarding testing. A woman shall not be
21 denied appropriate prenatal or other medical care because she decides
22 not to be tested for HIV or to use certain medications to reduce the
23 risk of transmitting the virus to her child.

24 b. The commissioner shall establish guidelines regarding
25 notification to a woman whose test result is positive, and to provide,
26 to the maximum extent possible, for counseling about the significance
27 of the test result.

28 c. Information about a woman which is obtained pursuant to this
29 section shall be held confidential in accordance with the provisions of
30 P.L.1989, c.303 (C.26:5C-5 et seq.).

31 (cf: P.L.1995, c.174, s.2)

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33 2. This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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STATEMENT

This bill amends P.L.1995, c.174 (C.26:5C-15 et seq.), which requires the primary caregiver of a pregnant women or new mother to provide her with information about the human immunodeficiency virus (HIV) and AIDS, and also inform the woman of the benefits of being tested for HIV and present her with the option of being tested. The bill clarifies the intent of this statute by explicitly requiring the health care practitioner to inform the woman of the opportunity which she would have, if she tests positive for HIV, to use certain medications to reduce the risk of transmitting the virus to her child.



Requires health care practitioner to inform pregnant woman of the opportunity to use certain medications to reduce the risk of transmitting HIV to her child.