

1 H.766

2 Introduced by Committee on Human Services

3 Date:

4 Subject: Health; reportable diseases; HIV

5 Statement of purpose: This bill proposes to prevent duplication of public
6 health records relating to HIV or AIDS by allowing disclosure of certain
7 information to other states' infectious disease surveillance programs without
8 notice to the individual subject of the record.

9 An act relating to preventing duplication in certain public health records

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 18 V.S.A. § 1001(b) is amended to read:

12 (b)(1) Public health records that relate to HIV or AIDS that contain any
13 personally identifying information, or any information that may indirectly
14 identify a person and was developed or acquired by state or local public health
15 agencies, shall be confidential and shall only be disclosed following notice to
16 the individual subject of the public health record or the individual's legal
17 representative and pursuant to a written authorization voluntarily executed by
18 the individual or the individual's legal representative. ~~Such~~ Except as
19 provided in subdivision (2) of this subsection, notice and authorization is
20 required prior to all disclosures, including disclosures to other states, the

1 federal government, and other programs, departments, or agencies of state
2 government.

3 (2) Notwithstanding the provisions of subdivision (1) of this subsection,
4 disclosure without notification shall be permitted to other states' infectious
5 disease surveillance programs for the sole purpose of comparing the details of
6 case reports identified as possibly duplicative, provided such information shall
7 be shared using the least identifying information first so that the individual's
8 name shall be used only as a last resort.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect upon passage.